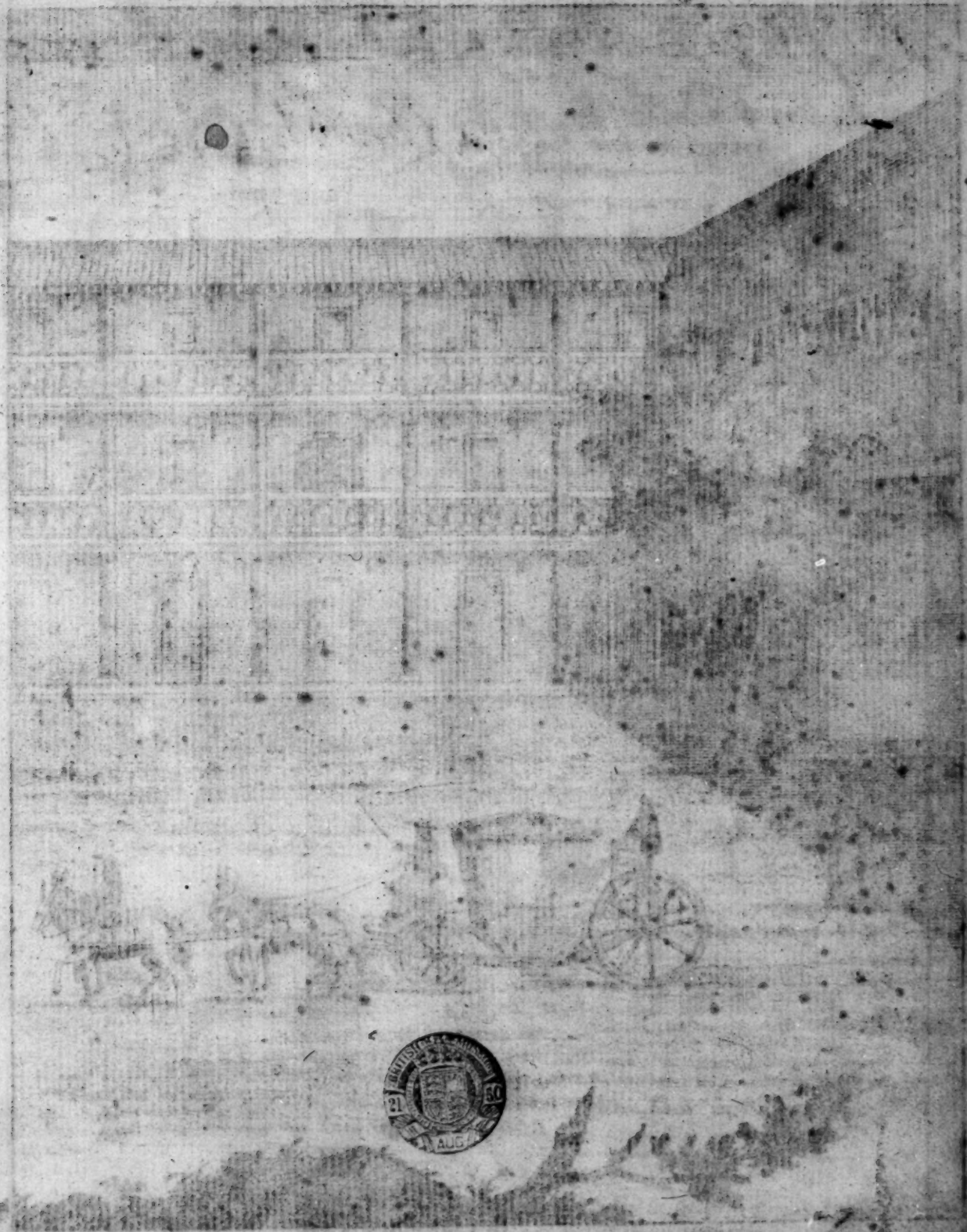
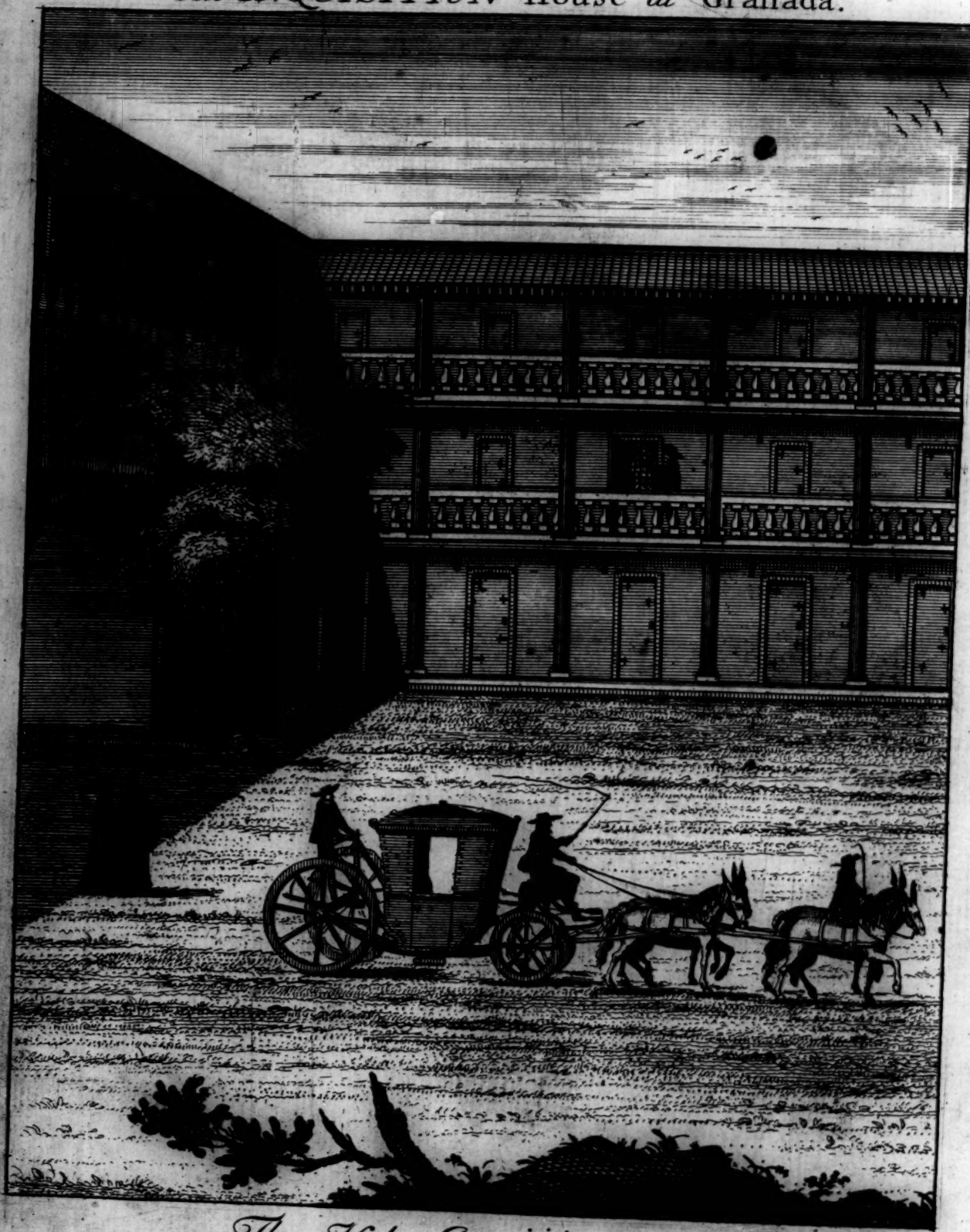


THE UNIVERSITY OF CHICAGO PRESS



The University of Chicago Press

The *INQUISITION* House at Granada.



The Holy Inquisition —

4626. old. 2.

THE
HISTORY
OF THE
INQUISITION,

As it subsists in the KINGDOMS of

SPAIN, PORTUGAL, &c.

And in both the INDIES, to this Day.

Comprehending as well an entertaining Series of its Transactions, as an exact Account of its Constitution, Power, &c. under the following HEADS:

- | | |
|--|--|
| I. Its Rise, Progress, and Establishment. | of this Court; its Officers, Laws, Customs, &c. |
| II. The extraordinary Methods taken to support it. | IV. The Nature of its Proceedings against Hereticks. |
| III. The almost boundless Jurisdiction | V. The Judgments, Penances, Executions, &c. |

INTERSPERSED

With various, extraordinary, and particular RELATIONS concerning the Treatment of Persons prosecuted in that Court; as of ISAAC MARTIN, an *Englishman*, who lay long in Prison at *Granada*, in the Reign of the late King GEORGE; and whose Account has the Sanction of a Certificate signed by both Archbishops, and by thirteen Bishops, at the Instance of Mr. Secretary CRAGGS: With many other genuine Cases, extracted from credible AUTHORS, and from ORIGINAL PAPERS.

To which is added,

An APPENDIX of necessary RECORDS, and various ORIGINAL LETTERS on the Conduct of the INQUISITION, hitherto never printed.

Compiled and Translated by the Reverend J. BAKER, M.A.

Illustrated with COPPER PLATES.

There is one Law-giver, who is able to save and to destroy; who art thou that judgest another? James iv. 12.
Woe unto them that decree unrighteous Decrees, and that write Grievousness which they have prescribed. Is. x. 1.
The LORD will abhor the Blood-thirsty. Psal. v. 6.

L O N D O N:

Printed and Sold by JOSEPH MARSHALL, at the *Bible* in *Newgate-Street*; and
GEORGE DAVIES and ROBERT SPENCER, at the *Golden-Ball* in *White-Fryers*.

M.DCC.XXXIV.

THE HISTORY OF THE INQUISITION

As it subsists in the Kingdom of

SPAIN M. P. TUGA & Co.



Comprehending a full and complete History of the Inquisition, as well as an account of its Constitution, Power, &c. and the following History

- I. Its Rise, Progress, and Extinction.
- II. The various Branches of the Inquisition, and the manner in which they are conducted.
- III. The various punishments inflicted by the Inquisition.
- IV. The various methods of torture used by the Inquisition.

With various extraordinary and curious particulars respecting the Treatment of Persons prosecuted in the Court of Inquisition, and the manner in which they are kept in Prison, and the various methods of torture used by the Inquisition, and the various punishments inflicted by the Inquisition.

To which is added, An Appendix of various Remarks, and various Original Letters on the Conduct of the Inquisition, &c. &c. never before printed.

Compiled and translated by the Rev. J. P. TUGA & Co.

Illustrated with Copper Plates.

There are two large folio copies in the Library of the University of London, and one in the Library of the University of Cambridge.

LONDON:

Printed and Sold by J. P. TUGA & Co. at the Bible in Newgate-Street; and George Davies and Robert Spencer, at the Golden Ball in White-Friars.

MDCCLXXVII



THE P R E F A C E.



I has been an old and well supported Custom among Authors to make a previous Apology for their appearing in Print, and laying the Produce of their Study and Learning before the Publick. Some spruce Writers, indeed, have dispensed with this ancient Usage, and not only contemned it by their Practice, but ridiculed it in their Writings; whereas, to me, nothing wears the Face of Reason more, than giving the World some Account of what they are to expect in a Volume of any considerable Length, that the Reader may judge whether the Profit from surveying the Building, will compensate the Trouble of viewing it; or whether, from the Plan in the Preface, it be not better to stop at the Lobby.

I shall therefore make it my Business, at present, to set two Points in their proper Light, viz. the Nature of the Subject treated of in the following Sheets, and the Nature of my Method of treating it. When this is done, whoever peruses this Preface, will be able to decide for himself whether the Book deserve his Notice, or not. How far this may be consistent with the Politeness of a modern Preface, becomes not me to determine; but that 'tis acting in a just and candid Manner with the Publick, cannot, I think, be denied me: And therefore, as I depend on the good Opinion which those who read this will have of my Integrity; so I shall say nothing, in order to procure it, which is not strictly true, and deliver'd in the plainest Terms.

Whoever has considered RELIGION with any Attention, must have discover'd that it is usually made up of two Parts; an outward Profession of Faith, as to certain Points, and an inward Sense of the Obedience due to its Rules. Where these are properly tempered, Religion truly flourishes; but where the former prevails over, or is preferr'd to the latter, there true Religion will quickly be brought low. The APOSTLE hath made the same Distinction, though he has been more happy in his Expression; calling one the FORM of GODLINESS, and the other the POWER thereof. Now wherever RELIGION becomes an Engine of POLICY, the outward Profession is esteem'd of more Consequence than the inward Persuasion; and, provided Men are ORTHODOX, i. e. compliant to the Regulations made by the State, as to Form, they will run little Hazard from their being wanting in those Things, which are Testimonies only of the Power. Persons of loose Principles are far less liable to Persecution, than People of sincere and conscientious Piety; the one by their Violence, in regard to exterior Matters, commute with those whose Interests are united to the Observance of Exteriors for their Omissions in Practical Religion; but the other are never able to atone for their Deficiencies, as to Form in the Eye (I mean, of those who subsist by Forms) let their Morals be ever so pure, or the whole Current of their Lives ever so unblemished. There is certainly nothing more facile than to make a Shew of Faith without Works; but the great, indeed the only Difficulty in the Christian Religion, is to shew forth our Faith by our Works. Yet, in respect to these Points lies the Difference between the Human Inquisition, and the Enquiry which GOD will make at the last Day. The former will be satisfied, if we but seem what we are not; in the latter we shall only be condemned, if we have not really been what, in outward Shew, we appeared.

From hence it is evident, that the employing Force in Matters of Faith, cannot any way benefit true Religion; though we deny not but that it may be of Use to maintain a State Religion; a Creed framed on political Considerations, supported rather by human Power, than by right Reason, or the Holy Spirit: Wherefore, in Proportion to the varying of any System of Divinity, from that taught by our blessed SAVIOUR, and his Apostles, the Spirit of persecuting, or enforcing the Profession of that System, has been endeavour'd by its Promoters; and, perhaps, there is no better Measure of Anti-christianism, than the Computation made from the Cruelties of those, who, though their Hands are red with Blood, pretend to be the Disciples of the Prince of Peace.

When



The P R E F A C E.

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When the Church of CHRIST was in its Infancy, she was persecuted by Jews and Heathens, and that with the utmost Vehemence, and most implacable Malice. But from what Motives? Surely to maintain the Religion of the State; which was Judaism in Palestine, and Paganism throughout the rest of the World. It is true, indeed, that the Hebrew Faith was deliver'd by the Almighty; and that the Jews had as strong and undeniable Reasons to believe it, as to believe any Thing which had the Testimonies of its Truth from both their Understanding and their Senses. But they had corrupted and interpolated the Law given by GOD, mixing with it the uncertain Traditions and vain Conjectures of Men. These Additions, these foolish Additions, as they exalted the Form of Religion among them, so they destroy'd the Power of it; they hinder'd them from perceiving the Truth of CHRIST'S Doctrines; they inspired them with an irrational and impious Zeal, which hurried them on to persecute and to crucify its blessed AUTHOR. The Pagan Worship again was an entire System, or rather Rhapsody, of human Inventions; most of them unreasonable, various dishonest, and many indecent: Yet a furious Passion for these wretched Notions, and pompous, though ill-founded Ceremonies, prompted the Heathen Potentates to slaughter Multitudes, for Crimes by them reputed abominable, though the pretended Criminals led their Lives in the most innocent and inoffensive Manner; and to butcher, without Remorse, those whom they charged with Impiety, though they were really the most pious and devout Persons in the World.

Since Persecution, and the very Methods now in Use among some Christians, for propagating and defending their Religion, were, in these first Ages, so destructive of, and apparently opposite to the Gospel of JESUS CHRIST, we may justly wonder how they have been introduced into any Church, calling her self by his Name. Are Scourges, Racks, or Faggots, Arguments which bear any Analogy to the Precepts he has given us, respecting Faith or Manners? If they are not, why are they applied? Most certainly, they are cogent Reasons to teach a Man Hypocrisy; but they will not, they cannot influence a Person to embrace the true Faith. Such Proceedings suit the Genius of Mahometism, but they are repugnant to the Law of CHRIST. Truth is amicable in its Nature, Reason will lead us to embrace her; but Force is apt so to disorder our Minds, that we bear with Repugnance, Orders which we must neither examine, nor disbelieve. In a Word, if the Enemies of GOD'S HOLY FAITH had endeavour'd to render it odious, by introducing into it Things contrary to its Nature, they could not have done it more effectually, than by breathing this Spirit into
the

the CHURCH, which, whilst it seems to keep many Saints, does, in reality, make many Devils.

But to quit Speculation.—When, instead of that Simplicity, which is so distinguishing a Mark of the Gospel Institution, a Multitude of human Inventions were received into the Christian System; and, for the promoting the Interest of an ambitious and covetous Body of Men, they were, like the Jewish Traditions, magnified, even to a Superiority over GOD's Word, then Force became a Thing necessary not to support the Faith of JESUS; for that neither needed, nor indeed can it derive any Assistance from Force; but to uphold these superstitious Additions, these lucrative Inventions, whereby Religion was made a Trade, and Godliness made a Means of Gain. When the Clergy grew enamour'd of Pomp and Preferment, and, in order to gratify their Desires of these Kinds, introduced numberless Notions, which were productive only of Money and Superstition, then it grew expedient to lay Restraints on Mens Thoughts; or, at least, upon their Tongues; that these Cheats might escape Detection, and that these Frauds might produce their intended Effects: And in Proportion as these Ecclesiastick Impositions multiplied, so also did the Severities practised to defend them; till, in the End, they are at present grown so numerous, so glaring, and so oppressive, that the Time seems to be at hand, when, like a Bow overstrain'd, those who strive to carry them yet farther, shall break and overturn them; or good and wise Princes, out of a due Tendernefs for their People, shall blunt the Edge of such unchristian Weapons.

We are not, however, to suppose, that in these Severities there are any of the Methods of covering Cruelty with Hypocrisy omitted. Even such as take these Steps, are so conscious of their Disagreement with the Religion, which, they pretend, they are practised to maintain, that they endeavour, with the utmost Cunning, to gloss, by smooth, pious, and even compassionate Language, the most outrageous Cruelties that ever inhuman Spirits perpetrated on their innocent Brethren. The INQUISITION, the most bloody, as well as the most terrible Court, that ever was invented, is called, by its Advocates and Dependants, the HOLY OFFICE; and though many Catholicks are strongly prejudiced against its manner of proceeding; yet, in Countries where it subsists, the whole Body of the People speak of it with the highest Reverence; so formidable has its inexorable Rigour made it, and such an Awe has its excruciating Treatment of such as have fallen under its Power diffused, that Horror is dissembled, and Fear it self is silent. Wherever it exerts its Authority, Men forget to search the Scriptures, or to gain a rational Belief in CHRIST; they content themselves with Forms and Cere-

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Ceremonies, and dare not so much as enquire into the Grounds of that Faith, by holding which they are to be saved. Such is the State of Religion in the Neighbourhood of the INQUISITION.

But, perhaps, some may object, that these are the Accounts given by Protestants of this Tribunal; and that Persons of a different Communion are too apt to exaggerate all Things, which may, in any Degree, tend to the Disparagement of each other: But this is by no means the Case. Catholics, (as they call themselves) nay, Officers and Judges of the HOLY OFFICE, have confessed all this, and more, even with Pride and Exultation of Heart. Far from hiding or denying such Things, they imagine them honourable; and, either by a long Habit of thinking erroneously, or from profound Dissimulation, and a View to worldly Interest, publish these very Particulars, dressed up (as indeed whatever relates to the INQUISITION is) in a studied canting Stile, by which they affect the Minds of ordinary Readers; especially in Countries, where the very Titles of such Books strike with Reverence, or rather Horror. The Writers on the Canon Law are another Band of Auxiliaries, in the Service of the HOLY OFFICE; they assert the Equity and Justice of these Proceedings: According to them, the very Suspicion of Heresy should intail Poverty; as if HERESY, like the PLAGUE, infected Mens Goods, and render'd them fit for no Bodies Use, but the Engines of the INQUISITION.

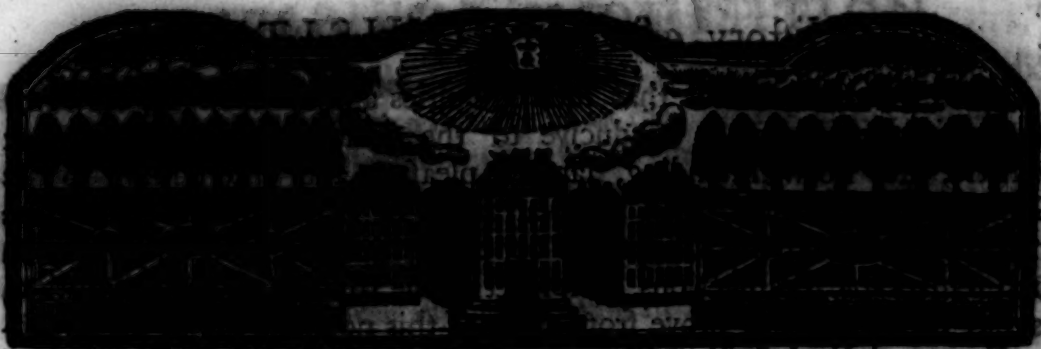
It is not therefore to be wonder'd at, that a Tribunal, which is on one side boasted of, and cried up, as an admirable Bulwark of the CHURCH, and the only Fortification which has enabled the Catholick Faith, i. e. the Papal Constitutions, in spite of the Reformation, to preserve and support an ample Dominion over the Persons, Purse, and Consciences of Men; and which, on the other hand, is represented as an inhuman Contrivance, by Force and Torture to extinguish true Religion, and the sincere Love of GOD, has been thought a Topic worthy the Pens of the most eminent Men on each Side of the Question. Ludovicus a Paramo, in his History of the Origin, Progress, and Practice of the Inquisition; Bzovius, the Continuator of Baronius's Annals; and Pope Clement IV. in his Questiones quindecim ad Inquisitores, have sufficiently magnified the Use, Equity, and Dignity of the HOLY OFFICE: As the celebrated Philip a Limborch, in his History of that Court; the Author of The Holy Inquisition, wherein is represented what is the Religion of the Church of Rome, and how they are dealt with who dissent from it, printed at London, 1681; and various other Protestant Writers, have with great Accuracy traced, and with strong Arguments impugned, the Constitution, Maxims, and Practices of this terrible TRIBUNAL.

Having

Having thus fully illustrated the first Point I proposed, I shall detain my Readers but a very little while upon the second; for as I imagine the Importance of this Subject is already well made out, so the Method I propose is so plain and easy, that I can foresee no Objections to it. In the First Place, I intend to shew the Institution, Progress, and Settlement of this Court, in the several Countries wherein its Authority is, or has been erected. Secondly, I shall explain the Constitution, Maxims, and several kinds of Offences, cognizable under this Jurisdiction. Thirdly, I shall describe the Method of its Proceedings, and its Treatment of Criminals. Fourthly, I shall collect the Judgments which are given therein, and describe the Punishments inflicted thereby. And, Fifthly, I shall digest into as regular a Series, as the Nature of the Thing will allow, all the remarkable Cases which I can possibly meet with; and thereby exhibit to the Publick a more useful, as well as more entertaining, Display of the Power and Practices of the INQUISITION, than has hitherto appeared in this, or, I may say, in any other Tongue; in as much as the last HEAD of my Collections is entirely new, and what no Body hitherto had thought of, though the great Variety of Relations in this kind, which are to be found in Books of History, Travels, &c. afford me a very ample Prospect of gratifying my own, and my Readers Curiosity. I have nothing more to add, but that I shall use my utmost Skill and Diligence, so to digest every Thing in the following Sheets, as to deserve the Encouragement and Approbation of the Publick.

THE HISTORY OF THE INQUISITION, OR THE TRIALS OF HERESY, IN THE SEVERAL COUNTRIES WHEREIN IT IS ESTABLISHED. BY JOHN HALL, ESQ. OF THE BARR. AT LAW. IN TWO VOLUMES. THE FIRST. LONDON, Printed by J. KNEELAND, at the Sign of the Sun in St. Dunstons Church, 1704.





HISTORY OF THE INQUISITION

The entire story and history of the Popes was to crush, as it is
lately, every Doctrine that any way opposed their exorbitant Power.
In the Year 1163, at the Synod of Toulouse, the Bishops and Priests in
the Country of Toulouse, were commanded to take Care, and to forbid,
under the Pain of Excommunication, any Person from giving
Refuge to the Heretics, or to the Followers of the Pope, who had
begun in the Country of Tholouse, where they should be discovered.
Not long after this, the Country of Tholouse, was declared a large Affair.
Parent, the Prefect, declared, and that publicly, to a large Affair.
ply, that whoever, within a certain Time, would come back to the
Church, which never thus her Return to those who return, and obey the
Law, should be subject to return, should be subject to return, should be subject to return.

to the Punishment appointed by the Laws and Canons. But, in the
the Design of this Tribunal is to give an ample and
exact Account of those official Proceedings, and har-
barous Executions, by which the very Name of
the Inquisition, it became both fearful and terrible.
as well to the moderate and pious Papists, as to
Protestants themselves; so there is a Necessity, in de-
scribing Things from their Originals, and of prepar-
ing our Readers by a Relation of the Rise, Progress
and Constitution of this tremendous Tribunal, for the Recital of the ter-
rible melancholy and tragical Events, which the Avarice, and other Vices
of its Judges, have occasioned and brought to pass, as be communicated.

But as we are conscious that such Inquiries and Detentions, however rational in themselves, or conducive to the Establishment of subsequent Matters, are, notwithstanding, far less pleasant and interesting to the Curious, than the Narratives of the Proceedings of the Inquisition, we find them more agreeable to the Curious, than the Proceedings of the Inquisition, such remarkable Transactions, in respect to the manner of the Inquisition, as may be sufficient to prove from whence this new Engine of Papal Oppression, and Ecclesiastical Tyranny, hath acquired such a Power, and by what Degrees Persecution hath been strengthen'd by the Artifices of the Court of Rome; at first, by the Assistance of deluded Princes; but in latter Times, by bolder and more arbitrary Methods: The Trial of Heresy being not only taken from the Laity, but also wrested out of the Hands of the Bishops, and vested in the *Dominican Order*, for the Merits of its Founder.

The entire Study and Endeavour of the Popes was to crush, in its Infancy, every Doctrine that any way opposed their exorbitant Power. In the Year 1163, at the Synod of *Tours*, all the Bishops and Priests in the Country of *Tholouse*, were commanded to take Care, and to forbid, under the Pain of Excommunication, every Person from presuming to give Reception, or the least Assistance, to the Followers of his Heresy, which first began in the Country of *Tholouse*, whenever they should be discovered. Nor did they act with less Cruelty against Heretics in *Orvieto*. *Pater Parentius*, the *Præfekt*, declared, and that publicly, to a large Assembly, that whosoever, within an appointed Day, would come back to the Church, which never shuts her Bosom to those who return, and obey the Commands of the Bishops, should obtain Pardon and Favour; but that whosoever should refuse to return by the prefixed Day, should be subject to the Punishment appointed by the Laws and Canons. But, in the midst of this Ceremony, the *Præfekt* himself, in the presence of the

About the Year 1180, Pope *Innocent III* sent to several Archbishops and Bishops in *Germany*, and other Provinces of *France*, that they should hold in their *Dioceses*, *Parishes*, and *Parsons*, from their Territories; and order the *Heretics* to be driven out of their *Dioceses*, and the *Founders* of the Order of *Hospitality*, to convert Heretics, and to punish the *Heretics*, and those who would not be converted, should be punished, and that they should humbly receive, and inviolably observe, whatever their *Roy* should ordain against Heretics, their Followers, and Defenders. He commanded also the *Bishops*, *Bishops*, and *Canon* that things Heretical, who should be excommunicated, as imposed by *His Majesty*, should be judged.

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the Possession of their Estates and Barrenments; that if, after this Interdict, they should be found in their Dominions, they should proceed more severely with them, as became Christian Princes. He gave, moreover, full Powers to the Princes to compel the Princes to this Work, under Pain of Excommunication, and Interdict of their Dominions, without Appeal; and continually him not to delay to publish the Sentence of Excommunication against the Receivers of excommunicated Heretics.

Hitherto we have mentioned this Affair as it was managed by the Bishops, with whom the Government and Care of the Churches were intrusted, according to the received Decrees of the Church of Rome. But inasmuch as their Number did not seem sufficient to that Court, or because they were too negligent in this Business, and did not proceed with that Fury against Heretics, as the Pope would have had them; therefore, that he might put a Stop to the increasing Progress of Heresy, and more effectually extirpate them, about the Year of our Lord 1208, he founded the Order of the Dominicans and Franciscans, that they might preach against Heretics. *Dominick*, and his Followers, were sent into the Country of *Toulouse*, where he preached, with great Vehemence, against the Heretics that were arisen there, from whence his Order hath obtained the Name of *Preachers*, or *Preachers*. Father *Francis*, and his Disciples, charged to war the Heretics of *Italy*. They were both commanded by the Pope, to excite the Catholic Princes and People to extirpate Heretics; and, in all Places, to enquire out their Number and Quality, and also the Zeal of the Catholics and Bishops, in their Extirpation, and to transmit a faithful Account to Rome. Hence they were called Inquisitors. These first Inquisitors were Dominican Friars, or of the Order of Preachers; but it is not so certain what Year the Inquisition itself was introduced. *Dominick*, as hath been said, was sent into the Country of *Toulouse*, where he lodged in the House of a certain Nobleman, to whom belonged the House of the Inquisition at *Toulouse*; and finding him sadly infested with Heresy, Father *Dominick*, Inquisitor, of the Faith, reduced him to the Paths of Truth; upon which, he devoted himself, and his House to St. *Dominick*, and his Order; which House hath ever since belonged to the Inquisition. From hence we may gather, that *Dominick* was the first Inquisitor; and that the Inquisition was first introduced at *Toulouse*. But as to the Year when, Writers differ; some referring it to the Year of Christ, 1212; others to 1208; and others to 1209. This *Dominick* was born in Spain, in the Village *Calaroga*. His Mother, before she conceived him, is said to have dreamed that the

The History of the INQUISITION.

was with Child of a Whelp, carrying in his Mouth a lighted Torch; and that, after he was born, he put the World in an Uproar by his fierce Barkings, and set it on Fire by the Torch that he carried in his Mouth. His Followers interpret this Dream of his Doctrine, by which he has lighted the whole World; whereas others, if Dreams presage anything, think that the Torch was an Emblem of that Fire and Faggot, by which an infinite Multitude of Men were burnt to Ashes.

These Inquisitors had no particular Tribunal; they only enquired after Hereticks, their Number, Strength, and Riches. After they had detected them, they informed the Bishops, who then had the sole Power of judging in Ecclesiastical Affairs, earnestly exciting them to anathematise, and otherwise punish the Hereticks they had discovered to them. They stirred up both Princes and their People to take Arms against Hereticks; all who engaged in this Work, they signed with the Cross, and encouraged in their Expeditions. *Dominick*, who was of a bloody fiery Temper, that he might effectually extirpate Heresy, invented a Method, whereby, under the Appearance of Mercy and Forgiveness, he executed the greatest Cruelties, and glutted his furious Revenge. For Excommunication being, at that Time, a Thing of all others the most dreaded, he, under the Masque of taking off that, and restoring Penitents to the Communion of the Church, inflicted the most execrable Punishments, veild only by the gentle Appellation of Penances. As this Artifice is yet practised by the *Inquisition*, and as some Doubt may arise, whether, in this Respect they tread exactly in the Steps of their *Founder*, I will venture to add a *Rescript* of *St. Dominick's* own, on this very Head; whereby the Mercy and Tenderness of that celebrated *Saint*, and the Likeness between his Spirit, and that which appears in the Proceedings of the *Holy Office* at this Day, will be manifestly shewn: And I the rather insert it, because I promise my self, that it will not prove unentertaining to my *Readers*, and because I have not found it in *Limborch's* accurate Work on this Subject.

" Brother *Dominick*, the least of Preachers, to all CHRIST's faithful People, to whom these Presents shall come, Greeting in the Lord.
 " By the Authority of the *Cistercian Abbot*, who hath appointed us this Office, We have reconleiled the Bearer of these Presents, *Petrus Rogerius*, converted by God's Blessing from his *heretical* *Sect*, charging and requiring him, by the *Oath* which he hath taken, that three Sundays, or three Festival Days, he be led by a Priest, naked from his Shoulders down to his Drawers, from the coming into the *Church*
 " unto

THE HISTORY OF THE INQUISITION

unto the Church Doors, being *whips* all the Way. We also enjoin him, that he abstain at all Time from Meat, Eggs, Cheese, and all Things that shall proceed from Flesh, except on the Days of *Easter*, *Whitsontide*, and *Christmas*, on which Days, We command him to eat Flesh, for a Denial of his former Error. We will that he keep *three Lent* in one Year, abstaining even from Fish. And that he fast *three Days* every Week, always, refraining from Fish, Oil, and Wine, except bodily Infirmary, or hard Labour in Harvest-Time, require a Dispensation. We will that he wear *Roches* Coats with two small *Crosses* sewn on his *two Breasts*. Let him every Day hear *Mass*, if Opportunity may serve, and on *Holy Days* let him go to *Mass* to Church. He shall observe all the other *canonical Hours*, by Day and by Night, where ever he be, and shall then say his *Orison*, that is, *seven times* a Day he shall say *ten Pater Nosters* together, and *twenty* at Midnight. Let him altogether abstain from his Wife, and every *first Day* of the Month, let him shew these *Our Lords* to the Curate of the Town of *Canterbury*, within We command to observe diligently what Kind of Life this Bearer leads: Whom, if he should neglect to observe these *Our Injunctions*, We declare to be perjured, and excommunicated, and will have him taken for such, *Excommunicatus*. The Pope's principal Care was to expel them from the County of *Thoulous*, where the *Albigenses* were very numerous. He was perpetually pressing *Raynold*, Earl of *Thoulous*, to banish them from his Dominions; and, when he could not prevail with him, either to drive out so large a Number of Men, or to persecute them, he order'd him to be excommunicated, as a Favourer of *Heretics*. He also sent his *Legate* with Letters to many of the *Bishops*, commanding them to make Inquisition against the *heretical Albigenses* in *France*, and to destroy them, and convert their Favourers. He wrote to *Philip* King of *France*, that he should use his utmost Force to suppress them; least it might, in case he neglected to do it, cause a Suspicion of his being tainted with their Heresies. With the Pope's *Legate*, there came also *twelve* Abbots of the *Cistercian* Order, preaching the *Cross* against the *Albigenses*, and promising, by the Authority of *Innocent*, a plenary Remission of all *Sins* to all who took on them the *Crusade*. To these *Dominick* joined himself, and, as we have related, invented, in that Expedition, the Inquisition. The Roman Pontiffs had appointed this kind of War, which they called *Holy*, against the *Infidels* and *Saracens*, for the Recovery of the *Holy Land*, and because all who listed themselves in that Service wore the Sign of the *Cross* near their

their Shoulders, they were called *Cross-Bearers*. It was also order'd to be proclaimed, that all who would enter into this holy War, or piously contribute any Money for the Pay of the Soldiers, being confess'd and penitent, according to the Method fix'd by the Divine, should obtain a full Indulgence and Remission of their Sins, and be absolv'd from the Sentences of Interdict, Suspension, and Excommunication; and especially from those they had incurred by firing or breaking into Churches, or by laying violent Hands on Ecclesiasticks, and all other Offences; except the Crime was so enormous, that they could not receive Absolution but immediately from the Apostolick See, besides a great many other Advantages, which drew Multitudes to engage cheerfully in them upon the Belief that they could, in so easy a manner, atone for their Sins. But now the Pope turned these Expeditions against the *Christians* themselves, whom they loaded with the infamous Name of *Hereticks*, only because they were Enemies to their See, and the exorbitant Rewards of it. Some of these *Cross-Bearers* *Dominick* sent into the Country of *Tholouse* against the *Albigensians*, to overcome those *Hereticks* by the material Sword, whom he could not cut off by the Sword of the Word of God. For this Fraternity *Dominick* fram'd certain Constitutions, by which they were to preserve and govern themselves. The first was, that such who entered into this Warfare, should take a solemn Oath, that, in Defence of the Ecclesiastical Effects, they would expose themselves, and their own Estates, and take up Arms, as often as they should be call'd on by the Prelate of the War, who, at that Time, was *Dominick*, and afterwards the Masters General of the Dominican Order. *Dominick* further exacted an Oath from the Wives of these *Cross-Bearers*, that they would not persuade their Husbands to forsake this War, and proff'd them eternal Life for so holy a Service. And, to distinguish them from other *Knights*, he order'd, that both the Men and their Wives should wear Garments of White and Black, though they differed as to their Make. The Wives of those who were slain in the Expedition, promised they would never marry again. This kind of Warfare was, at that Time, very acceptable; great Numbers enter'd into it, that, by the slaughter of *Hereticks*, and the Plunder of their Goods, they might make way to Heaven.

The Pope, finding his Orders neglected by *Raymond*, Earl of *Tholouse*, excommunicated him, as a Defender of *Hereticks*, and absolv'd his Subjects from their Allegiance; giving Power to all Catholics, not only to act against his Person, but to seize and detain his Country. The Earl, frighten'd by this Sentence, and more so, by the terrible Expedition of

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the *Cross-Bearers* against him, was forced to promise Obedience to the Church; and desire to be reconciled thereto; but could not obtain this Favour, till he had delivered up to the *Legate* seven Castles, by way of Security for his future Behaviour, and submitted to be scourged in the Church of St. Andrew. This sentence was performed with so much Severity, that his Body was torn and swelled to such a Degree, that it was impossible to put on his Clothes, but he was obliged to return naked. He was also served in the same manner at the Sepulchre of St. Peter the Martyr, at New Castles, whom the Earl had caused to be slain.

In the Year 1209, *Barry* was taken by the *Cross-Bearers*, and all its Inhabitants, without Distinction of Age or Sex, put to the sword; but a Dispute arising, whether the Carthage, or which there were many in that City, should be slain, or the *Barry* might fight themselves to be Carthage; *Arnold*, Abbot of *Cîteaux*, made Answer, *Slay them all, for the Lord knows who are his.* But as it is not our Intent to write the History of the *Albigenses*, further than is absolutely necessary to shew the Progress of the Inquisition, we shall not recite the abominable Cruelties exercised by the *Cross-Bearers*, where ever they obtained the Victory, any further than relates to *Toulouse* only.

Earl Raymond, hearing the mighty Success of the *Cross-Bearers*, under the Command of *Simon Montfort*, resolved to defend himself and his Country: and for this Purpose he raised a great Army, having Forces sent him from the Kings of *England* and *Aragon*, to whom he was related. But this Army was defeated, with a cruel Slaughter, and the Earl, with his Son, driven out of his Dominions: Yet in the Year 1215, Raymond his Son, with the Help of auxiliary Forces, made War on *Montfort*, and recovered Part of his Dominions, amongst which was the City of *Toulouse*; which *Montfort* endeavouring to retake, was kill'd by the Blow of a Stone, and thereby the City delivered from the Siege. Thus Raymond recovered by Arms his Father's Earldom, who died in the Year 1224, and was succeeded by his Son, who could not obtain, with all his Endeavours, a Christian Burial for his Father. Yet, soon after, he found Means to banish the Inquisition from *Toulouse*; for which Pope *Honorius* III. commanded the Dominicans to proclaim an Holy War, to be called the *French War* against *Heretics*. He also exhorted *Louis* King of *France* to take Arms against the *Albigenses*, in this manner, *This is the Command of God.* The French King accordingly undertook the Expedition, and with a large Army, lay down before *Avignon*, which was valiantly defended by Earl Raymond. At this Siege fell many of the greatest Captains in the French Army; and, at length, the Dylentry swept

swept away still greater Numbers; and among them the King himself, whose Death was very carefully concealed by the Pope's Legate. But this crafty Priest, perceiving that *Avignon* could not be subdued by Force, prevailed on the Inhabitants, under the Security of an Oath, to admit him, and some of her Prelates, in order for them to see whether the Cry of *Heresy* (as he phrased it) which was come up to the Pope, were as true as it was great. But the *French*, as the Legate had perfidiously contrived, enter'd at the Gate opened for the Prelates, and seized the City, which they immediately plunder'd, killing many of the Inhabitants, and binding the Residue in Chains. After *Avignon* was thus treacherously taken, they bent all their Forces against *Tholous*. That City sustained the Siege for a long time. Earl *Raymond*, quitting nothing that became the most violent Commander; yet at last it was forced to surrender, and that unhappy brave Man, after several Conferences, was obliged to go to *Paris*, where, on very hard Terms, at length he obtained Peace. By way of Penance, he was led to the high Altar, bare-foot, in his Shirt and Trowzes, and there absolved from his Sentence of Excommunication, after having made a solemn Promise to persecute Hereticks; which Promise the holy Fathers took Care to make him perform.

Of the METHODS made Use of for establishing and promoting the INQUISITION.

THE Pope laboured now with all his Might to confer a greater Power on the Inquisitors, and to establish for them a Tribunal, in which they might sit, and pronounce Sentence on Heresy and Hereticks, as Judges delegated from himself, and representing his Person. But to this there were, in the Beginning, great Obstacles, the People not easily admitting that new Tribunal, rightly judging, that great Numbers would be destroy'd by the Informations of the Inquisitors; So that they were very ill looked on by all, even before they had obtained the Power of judging; for the Magistrates, and wiser Part of the People, foresaw what must happen, upon their being invested with such an Authority; and were far from thinking it safe, that their Fortunes and Lives, and those of

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of their Fellow-Citizens, should be exposed to the Pleasure of the Pope's Emissaries, and that they should be made obnoxious to their Tyranny.

In the Year 1230, Pope Gregory IX. ordered the Book of *Decretals* to be published, into which he collected all the Laws of the Councils and Popes against Hereticks. Afterwards Boniface VIII. caused a sixth Book of *Decretals* to be wrote; and posterior to these, were added the *Clementines* and the *Extravagantes*, made on various Occasions, that the Inquisitors might want nothing for the full Exercise of their Office. As the *Valdenses* had stol'n into *Arragon* and *Navarre*, chiefly from the Neighbourhood of *Languedoc*, there was a Synod held at *Tarragona*, in the Year 1240; in which there were many Things enacted concerning Hereticks, and their Punishments. The Emperor *Frederick II.* put forth many Laws against Hereticks, and their Abettors, at *Padua*, by which he greatly promoted the Inquisition. In the first he ordains, that those Hereticks, who were committed by the Church to the Secular Court, should be put to Death without Mercy; that Converts through Fear of Death should be imprisoned; that Hereticks, with their Accomplices, wherever they were found, should be kept in Custody till they were punished according to the Sentence of the Church; that Persons convicted of Heresy, who had fled to other Places, should be taken up; such as were relapsed, punished with Death; Hereticks, and their Favourers, should be deprived of the Benefit of Appeal; and their Posterity, to the second Generation, should be incapable of all Benefices and Offices; but that their Heirs should be indemnified if they discovered their Parents Wickedness: And lastly, he takes under his imperial Protection the *Predicant Priars*, deputed for the Faith against Hereticks. In his second Edict, after expressing great Abhorrence of the Crime of Heresy, he commands all impenitent Hereticks to be burnt with Fire, and the Favourers of the *Paterenes* to be banished. In his third, he deprives the Children of Hereticks of their Honours, unless any of them should discover one of the Sect of the *Paterenes*. His fourth condemns all suspected Persons as Hereticks, if they do not purge themselves within a Year; commands his Officials to exterminate Hereticks from all Places subject to them; orders that the Lands of the Barons shall be seized by the Catholicks, if they do not cleanse them from Hereticks within a Year after proper Admonition; and ordains many Punishments against the Abettors of Heresy, and most severe ones against all who apostatize from the Faith.

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In the Year 1231, in the Month of *February*, some of the *Paterines* were discovered in the City of *Rome*: Those of them who were impenitent, were burnt alive; others were sent to the Church of *Monte Cassino*, to be there kept till they recanted. The Pope and *Roman* Senate made also severe Laws against Hereticks; and, because the *Milanese* was most infected with Heresy, *Frederick*, by an Edict, commanded all convicted of that Crime to be deliver'd over to the Flames, or their Tongues to be cut out, if the keeping them alive would prove a Terror to others. This very Year, Pope Gregory IX. gave a famous Instance of his Tyranny and Injustice. *Exelinus*, Lord of *Padua*, and Vassal of the Emperor *Frederick*, constantly adhered to his Master, and faithfully took the Emperor's Part against the Faction of the Pope. On this, the Pope endeavoured to render him infamous, by the Charge of Heresy; that, under this specious Pretence, he might expel him his Dominions: But, as he failed in this, he stirred up his Children against him; that, being delivered by them into his Power, he might punish him as he pleased. In order to this, he sent Letters to *Exelinus*, beseeching him to take better Measures, and admonishing him to renounce his Errors. A Copy of these Letters he sent to his two Sons, young *Exeline* and *Alterick*, who pretended to abhor their Father's Wickedness; and promised *Gregory*, of their own Accord, that they would deliver their miserable Father into the Hands of the Censors of the Faith, if he persisted obstinately in his Wickedness, that they might not lose the Inheritance of their Ancestors. Upon this, the Pope gave them to understand, that he deferred coming to Extremities against their Father for their sake, whom he believed still to continue in the true Worship of God, that they might not be involved in his Misfortunes; for (says he) the Crime of Heresy, like that of High Treason, disinherits the Children. Then he beseeches, and commands them, that they would use all possible Means to deter their Father from Heresy, and the Protection of Hereticks; but, if he despised their Admonitions, they would consult their own Safety, by sending him, as they had promised, before the Pope's Tribunal.

In 1232, the Inquisition was brought into *Aragon*. The Bishop of *Hysca* in *Aragon* was reported to err in Matters of Faith; upon this, *Gregory* committed the Office of making Inquisition against him to Friar *Peter Gaderite*, of the *Predicant* Order; and commanded *James* King of the *Aragons*, that he should not suffer him, or those whose Advice or Counsel he should think fit to make use of, to be injured by any Means whatsoever: And, that he might entirely extirpate Heresy out of the Province

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of *Tarracon*, he gave Commission to the Archbishop of *Tarracon*, and his Suffragans, to constitute Inquisitors against heretical Pravity, of the Order of *Predicants*.

In *France* there were not wanting some who stirred up the Remains of the *Albigenses*; so that the Papists say, they very grievously oppressed the Inquisitors, and other Persons, appointed by the Apostolick See for the Direction and Defence of the Catholick Faith. *Gregory* excited King *Lewis* against them, and advised him to join with the Archbishop of *Vienne*, some Person famous for his Wisdom and Justice, who might know what pertained to the Ecclesiastick Right, what to the Royal, and what to the Rights of others. He also exhorted *Blanche* the Queen to persuade her Son to perfect so righteous a Work. The same Year, after great struggling, the Inquisition was brought again into *Tboluse*, upon the first Day of the Festival of *Dominick*, but not without a great Tumult of the People, raised by a seditious Sermon of a silly Monk, upon Occasion of the Death of a certain Matron of *Tboluse*, who lived near the Convent of the *Predicants*, and had been hereticated before she died. However, the Inquisitors were, the Year following, ejected from *Tboluse*, but were afterwards restored again.

It can't be doubted that the Office of the delegated Inquisition was, in these Times, introduced into *Italy*, because the Inhabitants of *Placentia* drove out from their City Friar *Rowland* the Inquisitor, in the Year 1234. In 1235, June 17, Pope *Gregory* commanded the Bishop of *Hysca*, the Prior of *Barcelona*, and Friar *William Barbarano*, a *Predicant*, that they should not suffer the Office, by any Means, to relax, but should make Inquisition against Hereticks in the Province of *Tarracon*, and proceed according to the Canons. He also appointed Friar *Robert*, a *Predicant*, Inquisitor-General against Hereticks in the whole Kingdom of *France*; and commanded him so to proceed in the Causes committed to him, as that the Innocent should not perish, and that Iniquity should not remain unpunished.



C H A P. III.

Of some Obstacles to the setting up the INQUISITION.

Notwithstanding the Pope perpetually pressed the Inquisition, yet it was with great Difficulty admitted. The Novelty of the Tribunal, by which the Laity were excluded wholly from all Judgment against Hereticks, greatly offended Men. They were, indeed, willing to leave the Ecclesiasticks the Affair of Doctrine, to judge what was orthodox and what heretical. But they contended that the Judgment of their Persons belonged to them, *viz.* to determine whether any Person professed any Opinion condemned by the common Judgment of the Clergy, and so became an Heretick; and especially they believed that it belonged to their Tribunal to pronounce Sentence against the Guilty; whereas they now found themselves wholly excluded from all Share in it by this new Tribunal, which the Pope was endeavouring every where to erect. All the Power left the Secular Magistrate was only to put to Death those who were condemned by the Ecclesiasticks for Heresy; whereby he became a mere Slave to the Inquisitors, as being obliged to execute their Sentence with a blind Obedience, without Cognizance of the Crime. This was the Case even of some, who were otherwise zealous Defenders of the papal Authority. Among others, *Lewis King of France* made a Law, by which he commanded, that his Subjects, when cited before the Ecclesiastical Tribunals, should not appear to plead their Cause; and that if they were censured for Contumacy, the Goods of those who had passed that Censure should be seized by the Civil Magistrates, till it was recalled. The Pope thought this Law unjust, and injurious to the prelati- cal Authority; And therefore, that their Power might not be wholly suppressed by this Law, he sent Letters to the King; in which he set before him the Examples of *Charles the Great*, *Theodosius* and *Valentine* the Emperors, who had greatly enlarged the Power of the Bishops, and yet not obscured the Glory of their own Majesty, but rather increased it; and admonished him to repeal those Laws, which were contrary to Ecclesiastical Liberty. He then put him in mind of the Sentence pronounced by *Honorius*; by which the Makers of such Laws exposed themselves to Anathema's, unless they repealed them within two Months. The King, who solicited the Title of the *obedient Son of the Church*, yielded to the papal Severity; and was intreated, by *Gregory*, that he would finish the

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Work of cutting off all the Remains of Herefy in the Province of *Tholouse*, and compel Earl *Raymond* to perform his Promise. The Earl had bound himself, by an Oath, to extirpate Herefy, and to lead an Army into the *Holy Land*, when he was at *Paris*, and had made Peace with the *French King* and the Church: But as there happen'd a Tumult at *Tholouse* against the Censors of the Faith, raised by those who were said to be infected with Herefy, and as there was not an immediate Stop put to it upon its first Beginning, the Earl seemed to have broke his Promise, and to cherish Hereticks, because he did not restrain their Fury.

The Pope gave fresh Instructions to his Legate on this Affair, and order'd him to renew the *Tholouse* Statutes, to reject all the Edicts and Laws which infringed the Ecclesiastical Liberty, to remove from the publick Councils all suspected, or defamed of Herefy: And, by other Letters, he was order'd to cause all the Houses of the *Tholouse* Hereticks to be demolished. He also most earnestly entreated the *French King*, that he would use the Power committed to him by God, to compel the Earl and Consuls of *Tholouse* to amend the aforesaid Crimes, and do his utmost to extirpate Herefy. Then he admonished him to force the Earl to go to *Jerusalem* the next *March*, and send his own Brother *Alphonfus*, to whom *Raymond's* Daughter had been betrothed, to administer the Affairs of the Earldom of *Tholouse*.

The Tribunal of the Inquisition was not only hateful to the People, by reason of its Novelty, but because the Inquisitors themselves render'd it hateful by their excessive Cruelty. Amongst these, one Friar *Robert* was not the least. He was surnamed *Bulgarus*, because he had cruelly persecuted and deliver'd over to the Fire the *Valdenses*, then called *Bulgarians*; or, according to others, because he himself had been a *Bulgarian*, and, upon his forsaking them, had enter'd into the Order of the *Dominicans*. He was Inquisitor of the Faith in the *Netherlands* and *France*; a Man of an austere Temper, supported by the Royal Authority of *Lewis*, who commanded him to burn many who were infected with Herefy. But when afterwards the said Friar, (according to *Matt. Paris*) in the Year 1236, abused the Authority given him, and transgressed the Bounds of Modesty and Justice, growing haughty, powerful, and terrible, condemning to the same Punishment the Innocent, as well as the Guilty, he was put out of his Office by the Pope's Order, and shut up in perpetual Imprisonment. Afterwards, *Fulco* exercised the same Severity in *Languedoc*; upon account of whose excessive Cruelty, *Philip* the Friar sent, in the Year 1271, certain Persons to enquire into his Mismanagement; and

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and order'd, that, for the future, those who were suspected of Heresy, should be put into the Royal Prisons at *Tholouse*; and that the King's Subjects should not be detained by the Inquisitor's Decree, without the Bishop's Advice first had, and the Assistance of the Royal Seneschal. It would have been well if these two Persons only had exceeded the Bounds of just Judgment; but, in reality, this was the Fault of most of them: And therefore, that the Minds of Men might not be too much exasperated, they added some of the Order of the *Friars Minors* to the *Predicants*, by their Gentleness to temper the others Rigour. This was actually done in the Year 1238.

Indeed, this Tribunal of the Inquisition was the fittest Method in the World for Persons to oppress their Enemies, under the Pretence that they were infected with Heresy, and was abused to this Purpose by political Men, as well as Ecclesiasticks. The Emperor *Frederick* was greedy of Revenge, and used, by various Pretences and Subordinations of Crimes, to rage against those whom he inwardly hated. To this Purpose, he pretended great Zeal to cut off Hereticks; and appointed that, in all the Provinces and Places of Note, there should be a Judge, together with a Prelate, to take Cognizance of the Examination of Persons by Torture; and, for this pious Precaution, as it appeared, he was commended by Pope *Gregory*. But he improved this to gratify his Revenge, causing many innocent Catholicks, who had incurred his Displeasure, to be accused of Heresy, and burnt alive, to the great Grief and Offence of all; inso-much that *Gregory* gravely admonished him, that he should endeavour to extirpate Heresy, and not destroy Catholicks. Yet the *Roman Pontiffs* did much more insolently abuse their Power; for they were not afraid to brand with the Name of Heresy, and to proceed against, as Hereticks, Kings and Princes, nay, even the Emperor himself, if they would not own their unbounded Power, and do every Thing according to their Beck. Of this we have a famous Instance in the Emperor *Frederick*: He had made very severe Laws against Hereticks, greatly increased the Authority of the Inquisition; and, in the Year 1236, having found some Persons at *Palence* infected with Heresy, he order'd eternal Marks of Infamy to be imprinted on their Faces with a red hot Iron. And yet he could not escape the Pontiff's Thunder; for, in the Year 1239, Pope *Gregory* pronounced the Sentence of Excommunication against him, and absolved all his Subjects from the Obligation of any Duty or Oath they were under to him. *Frederick* gave an abundant Answer, and purged himself of the Crimes objected to him in this Sentence, in which there was no mention
of

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of Heresy. But the Pope sent Letters to all the Prelates, and to the Christian Kings and Princes, in which he charged him with various Heresies.

The Imperial Power thus insulted, no one will wonder that the like Process should be carried on against *Ezeline*, Lord of *Padua*, and zealously attach'd to the Emperor's Party: For, in the Year 1248, the same Pope *Innocent* pronounced the Ecclesiastical Censures against him on the Day of the Festival of the holy Sacrament. He had appointed Inquisitors of the Faith against him before, because he had been aspersed with the Report of Heresy. In order to refute the Charge, he sent Messengers to *Rome*, who bound themselves by a solemn Oath, in the Name of *Cæsar*, to declare, that his Sentiments were right concerning the Catholick Faith. But as that Purgation was not allowed of by the Bishop of *Sabine*, who was appointed to take the Report of the Messengers; nor by the Pope himself, because, as he pretended, the Importance of the Affair required the guilty Person to be present, he fixed him the Calends of *August* for the Day in which he was to clear himself, and, according to the Papal Manner, provided for his Security; hereby demonstrating, that he must entertain no Hopes of Reconciliation, unless he would, in all Things, subject himself to the Beck and Pleasure of the Pope, and own him as supreme Judge in all Causes whatsoever. But as *Ezeline* did not appear, the Pope, in the Year 1251, deputed the Bishop of *Trevise*, and the Prior of the *Predicants* at *Mantua*, to let him know that he should be subject to all the Punishments ordained against Hereticks, unless he appear'd before the Holy See within the next Calends of *August*, and submitted himself to receive his Commands: That if he refused to appear, they should publicly declare, that he was to be avoided by all, as one defiled with Heresy, that his Body might be seized on, his Goods plunder'd, and that an Army of *Cross-Beaters* should be sent against him, and his Followers. This Process lasted some Time before the Pope pronounced the long intended Sentence. At length, in the Year 1254, on the Day of the Festival of the Sacrament, *Ezeline* was condemned for Heresy, and subjected by the most bitter Sentence against him, published by *Innocent* himself, to all the Punishments of Hereticks; in which Sentence, he was charged with horrid Crimes. The Pope also commanded all the Prelates, that they should publish the Condemnation of *Ezeline* for Heresy; and punish all who adhered to him, with the Punishments ordained against the Followers of Hereticks. There are extant also the Pope's Letters, upon the same Subject, to *Alberic* his Brother, by which he gave him

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him all his Brother's Effects, whom he had condemned to the Punishments of Hereticks, and confirmed the Sentence of *William King of the Romans*; by which, he condemned him for Rebellion, and deprived him of all his Lands that were subject to the Empire.

Raymond Earl of Tholouse, being quite oppressed with the several Misfortunes we have before related, submitted his Neck to the Papal Yoke; for he signified to the Pope, that he desired that heretical Pravity might be quite destroy'd, and wholly extirpated out of his Dominions. The Pope highly extolled him for so pious a Zeal; and, to oblige him, (as he says) commanded the Bishop of *Agen* to make Inquisition after, and punish the Hereticks of *Tholouse*: But he did not long survive it, dying in the Year 1249; and was the last Earl of *Tholouse* of that Line. After his Death, the Earldom went to his Son-in-Law, the Earl of *Poitiers*; and he dying without Issue, it devolved to the Kings of *France*.

CHAP. IV.

The more speedy PROGRESS of the INQUISITION.

THE Pope had thus far laboured hard in promoting the Affair of the Inquisition. But as there were perpetual Quarrels between the Popes and the Emperor, the Pope's Success was not answerable to his Wishes, as being more intent upon promoting War, than enquiring into, and judging of Heresies. But, after the Death of the Emperor *Frederick*, the Affairs of *Germany* being in great Disorder, and *Italy* without any Prince; Pope *Innocent IV.* seeing all Things become subject to his Power, in the *Milaneze* and other Parts of *Italy*, determined to extirpate all Heresies, which had greatly encreased in the preceding War: And, because the *Dominican* and *Franciscan* Friars had greatly assisted the Pope against Hereticks, and were animated with a fiery Zeal, he committed this Affair to them, rather than to any others whatsoever. He therefore erected a Tribunal, solely for the Business of the Faith; and gave to the Inquisitors perpetual Power to administer Judgment in his Name in this Cause.

His first and principal Care was to purge *Italy* from Heresy, which was nearest to himself, and mostly subject to his Power; and therefore he

he erected several Tribunals of the Inquisition therein. In the Year 1251, he created *Vivianus Bergomensis*, and *Peter of Verona*, both Friars Predicant, Inquisitors of the Faith in *Milan*, and gave them these Letters, in which he taxes even the Emperor *Frederick*, as a Favourer of Heresy.

This *Peter of Verona* appointed, that amongst other Statutes of the Republick of *Milan*, many also should be made and observed against heretical Pravity. But as he was going from *Como* to *Milan*, Anno 1252, to extirpate Heresy, a certain Believer of Hereticks attack'd him in his Journey, and dispatch'd him with many Wounds. He was canoniz'd after his Death by *Alexander IV.* and is worshipped as a Martyr by the *Dominicans*, whom, next to *Dominick*, they esteem as the Patron and Prince of the Holy Office of the Inquisition; since he was the first who consecrated it by his Blood. The Ministers also of the Inquisition, whom they call in *Italy* *Cross-Bearers*, are, from him, called Co-Brothers of *Peter* the Martyr; and, in the very Ensigns of this Office, he is painted as a Martyr, and Protector of this sacred Tribunal, with a filken Cross, of a red Colour, interwoven with Gold, as the Emblem of his Martyrdom.

But, lest the Pope should seem wholly to deprive Bishops of the Power of judging concerning the Faith, which hitherto had been wholly lodged with them, he appointed, that a Bishop, with the Inquisitor; should be Judges in this Tribunal: But the Bishop was admitted only for Form's sake. The whole Power of judging lay wholly in the Inquisitor. and, that there might be some Shew of Authority left to the Civil Magistrates, who, by the last Laws of *Frederick*, had the Power of pronouncing Sentence upon Hereticks, he allowed them to appoint Ministers of the Inquisition, but such only as were nominated by the Inquisitors; and to depute one of their Number, nominated also by the Inquisitor, to visit with him the Territory committed to him; and a Power of claiming the third Part of the confiscated Goods; together with some other Things of the like Nature, by which the secular Magistrate seemed, indeed, to be admitted as a Companion of the Inquisitors, but was, in reality, render'd their Slave and Tool; for he was obliged, at the Command of the Inquisitor, to apprehend any one, and to imprison him, wherever the Inquisitors pleased. He was also under an Oath to expel from his Family, and not to admit into any Office, any that should be adjudged Hereticks by the Inquisitors Sentences; and, if any of his Number assisted the Inquisitors, they were put under an Oath of Secrecy. From all which 'tis manifest, that the Magistrates were not the Companions of the Inquisitors

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in that Tribunal, but only their Slaves and Tools. The Pope also ordained, that all Persons should pay towards the Charges of the Jails, Imprisonments, and Support of those who were confined.

By this Means, the Office of making Inquisition against Hereticks, was, in divers Places of *Italy*, committed both to the *Minors* and *Predicant* Friars: But, lest their mutual Power, and the neighbouring Jurisdiction of the Places, should create Confusion, or raise Disputes about their respective Bounds, the Pope recalled all the Commissions that had been granted in the Affair of the Faith; and divided, in an exact Proportion, to each Order, the several Parts of *Italy*. The Friars *Minors* he appointed in the City of *Rome*, throughout *Tuscany*, in the Patrimony of *St. Peter*, the Duchy of *Spoletto*, *Campania*, *Maretimo* and *Romania*. To the *Predicants*, he assigned *Lombardy*, *Romaniola*, the Marquisate of *Tarvisino*, and *Genova*. After this, the Pope prescribed thirty one Articles to the Magistrates, Judges, and People of the three Countries, which he had subjected to the Jurisdiction of the *Predicants*, which he commanded to be exactly observed, and register'd amongst the publick Records; and gave Power to the Inquisitors to put under Excommunication and Interdict, all who refused to observe them. Armed with this Power, they sometimes very insolently abused it, and attempted to introduce into other Countries what the Pope had order'd only for those that he had put under their particular Jurisdiction. Upon this Account, in the Year 1255, there was a great Quarrel between *Anselm*, a *Predicant* Friar in the *Milaneze*, and the Magistrate of *Genova*. The Friar endeavoured, that some Constitutions made against Hereticks, both by the Apostolick See, and the Imperial Power, should be published, and reposit'd amongst the Laws of the City. But *Philip Turrianus*, Prefect of the City, refused it, either because he favoured Hereticks, or despised the Commands of the Inquisitor. Upon this, the Friar, supported by the Apostolick Authority, proceeded against *Philip*, as suspected of Heresy; and, because he refused to obey and appear, excommunicated him, and all his Companions in the Government, as Accomplices in the Crime, and interdicted the City from all holy Services. *Philip*, under that Censure, appealed to the Apostolick See; and sent Ambassadors to the Pope, to entreat a Suspension of the Censures, and to wait for the Determination of the whole Affair. The Pope suspended the Curses *Anselm* had pronounced to a certain Day; but, before that Day came, *Philip* obey'd the Commands of *Anselm*, register'd, according to his Order, all those Constitutions amongst the City Laws, and proceeded as they directed against all Contraveners.

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Sometimes, however, they broke out into open Violence, which was with great Difficulty appeased. Thus it happen'd in the Country of *Parma*, as *Honorius IV.* relates it, in his Letter to the Bishop of that City, extant in *Bæovius*. These Difficulties were, indeed, overcome by the Authority of the Pope, and Rigour of Punishments; but contrary to the Inclinations and Endeavours of the People, who curst the Cruelty of the Inquisitors. From some Countries where the Inquisition had been brought in, it was driven out again, because it assumed the Cognizance of those Affairs which did not belong to it; so that the People could no longer bear the intolerable Yoke. In these latter Ages, viz. Anno 1518, the most violent Tumults were raised in *Brescia*, against the Inquisitors, who exercised the most outrageous Cruelties against some Persons accused of Magick, which were very difficultly appeased, and not till the Ecclesiastical Tribunal and Processes were abolished, and other Judges appointed in their Room. Upon the Death of *Paul IV.* the Prisons of the Inquisition were broke open by the Mob at *Rome*; and the whole Building, with all its Records, burnt to the Ground. At *Mantua*, Anno 1568, there was, on the same Account, a violent Sedition, which brought the City it self into the extreamest Danger.

As there occurred to these new Judges many Cases not determined by the Laws, so that sometimes they were in doubt how to proceed, they referred them to the Pope, by whom they were deputed, who, by his Rescripts, gave them proper Directions, and declared how they were to pronounce in like Cases. There are extant many such Answers of *Innocent IV.* *Alexander IV.* *Urban IV.* and *Clement IV.* to the Inquisitors, instructing them in the Affair of their Office against Hereticks. And, although these Rescripts were sent only to the *Italian* Inquisitors, yet we

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must not think, as *Pegna* remarks, that these Decrees were to be observed in *Italy* only.

This Tribunal was merely Ecclesiastical, the Civil Magistrate having no Share in the Judgment. The Inquisitor, with the Bishop, pronounced Sentence of Heresy against the Person apprehended. They appointed wholesome Penances to the Penitent, and delivered over the Impenitent and Obstinate to the Secular Court, who, without any farther Deliberation, condemned them to the Fire.

Tribunals of this Kind were erected in other Places besides *Italy*. First in the County of *Tholouse*: For *Innocent IV.* commanded the Provincial of the *Predicant* Order in *Provence* to endeavour, with all his Might, to extirpate Hereticks from that County, and the Country of *Poitou*, and gave him plenary Power to excommunicate, absolve, and reconcile.

In the Year 1255, *Alexander IV.* at the Request of *Lewis*, appointed Inquisitors of the Faith in *France*, and constituted the Prior of the *Predicant* Friars at *Paris* Inquisitor over all that Kingdom, and County of *Tholouse*, with the most ample Powers; and exhorted him to advise with grave and prudent Men in pronouncing Sentences. I cannot help remarking only what the Popes and their Devotees principally regard, *viz.* to restore the Inquisition wherever 'tis lost: But who and what sort of Persons are their Saints, to whom they give such high Encomiums in their Writings? Not Men remarkable for their Sanctity of Life, nor for governing their Actions according to the Rule of the Christian Doctrine; but Persons who have been the most zealous Promoters of the Papal Authority, who have most advanced the Power of the Church, and heaped upon the Ecclesiasticks the most ample Possessions and Riches. *Philip de Comines* hath a pleasant Story of this kind, in his Commentaries of the *Neapolitan War*, Book I. *John Galeacius*, first Duke of Milan of that Name, had governed with great Cruelty and Pride, but had been very liberal in his Donations. I saw his Sepulchre in the Carthusians Church at *Papia*; and, as I was looking on it, one of them spoke to me of his Virtue, and extolled his Piety. Why, said I, do you thus praise him as a Saint? You see there are drawn the Ensigns of many People, whom he subdued without any Right. Oh, says he, 'tis our Custom to call them Saints, that have been our Benefactors! Hence we may easily learn who are in their Account wicked and impious Men: Not such whose Manners are contraay to the Precepts of *Jesus Christ*; but who oppose the exorbitant Power of the Pope, and the intolerable Yoke of the Ecclesiasticks; who assert the just Liberties of Mankind, and scorn to be the vile Slaves of the Pope. These they point out

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out to us as wicked Wretches, and accuse of the worst of Crimes, and the most horrid Vices; from whence it appears of it self, what Credit is to be given to those Histories, which are written only by Monks, those sworn Slaves to the Pope. But to return:

When the Inquisition was once brought into *France*, the Pope carefully endeavoured to preserve it, and to cherish and enlarge, by all Measures, the Jurisdiction of that Tribunal. Such who were defamed for Heresy, and afraid of being brought before the Tribunal of the Inquisition, fled to the Churches, for the Benefit of the Ecclesiastical Immunity, and could not be brought from thence by Force before the Inquisitors. The Pope, seeing that by this Means many would escape the Judgment of the Inquisition, decreed that this Privilege should not be allowed them. Farther, to prevent the *Roman* Catholick Faith and Worship from being lost in those Provinces of *France*, where lived many of the *Valdenses*, he transmitted to the Magistrates and Prefects of those Places the Laws made by the Emperor *Frederick* against Hereticks, that they might proceed against those who were infamous on this Account. About this Time also, the Office of the Inquisition was brought into the Kingdoms of *Castile* and *Leon*, although there is scarce any mention of the *Castile* Inquisition in the Acts of those Times.

About this Time, many Hereticks from the Countries of *Italy*, to escape the Hands of the Inquisitors deputed thither, transported themselves into the Isle of *Sardinia*. And therefore, that they might not escape Punishment, nor infect the *Sardinians*, Pope *Honorius*, Anno 1285, commissioned the *Minorites*, the Inquisitors of *Tuscany*, to exercise the Office of the Inquisition also in that Island. Likewise, Anno 1288, the Pope commanded, that the Minister of *Provence* should, by the Apostolick Authority, appoint one of his Brethren, a wise and learned Man, Inquisitor in the County of *Venaissin* in *Dauphiny*, and the neighbouring Places, who should execute this Office according to the Laws formerly prescribed by *Clement IV*.

In the Year 1290, the Inquisition was erected in *Syria* and *Palestine*, because some Hereticks and *Jews* had crept in there, who promised themselves Safety from the Disorders of the Wars. The Pope sent a large Bull to *Nicholas* Patriarch of *Jerusalem*, Legate of the Apostolick See, and commanded him to depute Inquisitors of heretical Pravity in all the Countries where his Legateship reached, by Advice of the Provincials of the *Predicants* in those Parts, or their Vicegerents. The Inquisition lasted some Years in this Country, and was strenuously supported by the *Minorites*.

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In the Year 1291, the Inquisition was brought into *Servia*, and the Pope wrote Letters to *Stephen* King of that Country. This same Year there was a great Quarrel in *Italy*, between the Inquisitors of the Orders of the *Minorites* and *Predicants*. One Friar *Pagan*, a *Predicant*, Inquisitor in *Lombardy*, and Friar *Vivian* of the same Order, fiercely opposed the Inquisitor in the Marquisate of *Trevise*. This proceeded to such an Height, that many Disturbances were raised in the City of *Verona*, inso-much that the Pope found it necessary to cite them both before himself. After hearing what they alledged in their Defence, he determined, that they had been guilty of great Excesses; and therefore removed them for ever from the Office of the Inquisition, and added other Punishments, which he wrote an Account of to the Bishop, Governor, and Citizens of *Verona*.

The following Year 1292, the Inquisition was erected in the Cities of *Vienne* and *Albona*, after the same manner as it had been appointed in those of *Arles*, *Aix*, and *Ambrun*. The same Year *James* King of *Arragon* greatly promoted the Inquisition in all his Kingdoms: For, by a Law made the 10th of the Calends of *May*, he commands all the Officials of all his Kingdoms, already made, or hereafter to be made, that, at the Notification or Injunction of the Friars *Predicants*, who now are, or hereafter shall be, Inquisitors of heretical Pravity, they do fulfil, and execute whatsoever they shall command to be done, by themselves or their Deputies, on the Part of the Pope, or the King himself, whether it be to apprehend or imprison Mens Persons, or any other Thing relating to the Affair of the Inquisition. And he commands them to do this as often as, and where-soever they shall be required by them, or any one of them.

And, that there might be no Place of Refuge left for Hereticks, Tribunals of the Inquisition were erected up and down in various Countries: In *Germany*, *Austria*, *Hungary*, *Poland*, *Dalmatia*, *Bosnia*, *Ragusia*, *Croatia*, *Istria*, *Walachia* in *Lower Germany*, and other Places, to which the Power of the Pope could extend it self. The *Austrian* Inquisition was at first very terrible; for *Paramus* relates from *Tritbemi*, that in the City of *Crema* many thousand Hereticks were apprehended and burnt by the Inquisitors.



CHAP. V.

PROCEEDINGS against APOSTOLICKS, KNIGHTS TEMPLARS, BEGUINS, &c.

ABOUT the Year of our Lord 1300, there was great Cruelty exercised upon certain Persons, called Apostolicks, in *Italy*. They seem to have been nearly allied to the *Albigenses*. Their Rise is thus described by *Emericus*. In the Times of *Honorius IV.* *Boniface VIII.* *Nicholas IV.* and *Clement V.* about the Year of our Lord 1260, there appeared *Geraldus Sagarelli*, in the Bishoprick of *Parma*, and *Dulcinus* in that of *Novara*. They gathered a Congregation, which they called Apostles, who lived in Subjection to none; but affirmed, that they peculiarly imitated the Apostles, and took on them a certain new Habit of Religion. Anno 1285, they were condemn'd by the Letters Patents of *Honorius IV.*

Their Doctrine having prevailed near forty Years in *Lombardy*, *Sagarelli* was condemn'd as an Arch-heretick by the Bishop of *Parma*, and Friar *Manfred* the Inquisitor, and burnt July 18, A. D. 1300. *Dulcinus*, with six thousand of his Followers of both Sexes, inhabited the *Alps*, who run into all manner of Luxury, as *Pegna* says, and gained many Proselytes for the Space of two or three Years; and that with such Success, as determined *Clement V.* to send amongst them Inquisitors of the *Predicant* Order, to put a Stop to so great an Evil, either by recovering *Dulcinus* and his Accomplices from their Error, or by acquainting him whether these Things were so or not, as he had been credibly inform'd, after they had made a strict and diligent Enquiry. Upon their Return, they reported to the Pontiff what they had seen and heard, who, upon being acquainted with their horrid Wickednesses and Impurities, published a Crusado against so heinous an Impiety, and promised large and liberal Indulgences to all who should engage in so pious a War against such wicked Men. An Army was accordingly gathered, and sent against them with an Apostolick Legate; who coming into the Places where these false Apostles dwelt, and unexpectedly attacking them, they were wholly oppressed by this Catholick Army of Cross-Bearers; partly by Hunger and Cold, and partly by Arms. *Dulcinus* himself was taken, and, eight Years after the Punishment of *Geraldus*, was, as an Arch-heretick, with *Margaret* his heretical

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cal Wife, his Partner in Wickedness and Error, publicly torn in Pieces, and afterwards burnt.

The Inquisition raged with no less Cruelty against the *Albigenses* and *Valdenses* in the Kingdom of *France*, especially in the County of *Tholouse*. The Penitent were condemned to wear Crosses, or to perpetual Imprisonment, and the Impenitent burnt, without Mercy.

At the same Time, the Order of the Templars was suppressed by the Command of *Clement V.* *Philip* the Fair, King of *France*, had accused this Order of various Heresies and Wickednesses before *Clement*: And as it seemed very hard utterly to abolish so famous and rich an Order, and which had done such excellent Service for the Defence of the Faith, their Cause was debated in several National Councils. At last, *Clement* held a General Council at *Vienna*, where the Affair being thoroughly examined, they were condemned for various Heresies and abominable Crimes; which whether they were true, or whether the People envied them for their immense Riches, or whether King *Philip* thirsted after them, 'tis not easily to be determined.

After they had been thus condemned in the Council of *Vienna*, all that were in *France* were apprehended at once, as it were, by a Signal; and, before the third Year, on the 13th of *October*, put to the Torture. Most or all of them, either through the Love of Life, or Consciousness of their Wickedness, confessed the Crimes they were accused of. Many were condemned and burnt alive. Among these, *John Mola*, a *Burgundian*, chief Master of the Order, when after his Sentence he was carrying to Punishment, declared, in the most pathetick Manner, his own and his Order's Innocence; even though he was promised Life and Impunity, if he would openly and humbly ask Pardon, and retract every Thing that he had confessed against that Order before, begging Forgiveness for his false Confession. The next Year Letters were sent by the Pope, in which he commission'd the Archbishops of *Compostella* and *Toledo* to make Inquisition against the Templars in *Castile*, joining with them *Eymerick* the Inquisitor, a *Predicant*, and other Prelates. In *Arragon*, the same Affair was committed to the Bishops *Raymond-Valentinus*, and *Somenus Cæsar Augustanus*. The same was done in all the other Provinces of the Christian World, with this Expedient, that as this Inquisition was made concerning the most weighty Affairs, they should be cognizable only in Provincial Councils. Many of them were put in Irons, and imprisoned in *Arragon* and *Castile*. At *Salamanca* there was held a Council of the Fathers; where, there being a Debate concerning the Petitioners in Bonds, and

and their Cause thoroughly understood, they were pronounced innocent by the common Suffrage of the Fathers. Nevertheless, the Determination of the whole Affair was referred to the Pope, and the Council of *Vienna*. On this, the Bishops and Inquisitors of the Faith, from *Spain, Italy, France, England, Germany*, and other Kingdoms and Provinces, put the Informations into publick Writing, and proposing them at the first Session of the Fathers at the Council of *Vienna*, demanded a Re-hearing of the whole Cause of the Templars; and at length the Fathers decreed that that Order should be suppressed; and, by their Advice, Pope *Clement* published an Edict the 6th Nones of May, Anno 1312, by which he suppresses and dissolves the Order of the Templars; not by a definitive Sentence, but by an Apostolick Provision or Ordination; and reserves all their Effects to the Disposall and Appointment of the Apostolick See. When this Edict came to the several Provinces, the Effects of the Templars were every where seized, and they themselves severely punished.

In the same Council, large Power was given to the Inquisitors of heretical Pravity and the Bishops, of proceeding against Hereticks. One *Walter*, a *Lollard* in the City of *Crema*, and Dutchy of *Austria*, had many Followers, who, according to some, had their Rise from *Dulcinus*; who, at the Command of Pope *Clement*, were burnt by the Inquisitors, in that City and other Places. Their Number was large in *Bohemia, Austria*, and the neighbouring Countries. Some affirm they were eighty thousand. Many of them were burnt in several Places of *Austria*, who all of them persevered in their Opinions with great Chearfulness to their Death. And therefore, to extinguish both the old Hereticks, and the new ones that might possibly arise, ample Power was given, by the *Vienna* Council, to the Inquisitors and Bishops, to proceed against those who were defiled with that Impurity, and Prisons were order'd to be built to secure them in Chains.

In *Bohemia* the Office of the Inquisition was committed to *Predicants* and *Minorites*, who were commanded to manifest an holy Ardour against the Guilty. The Pope exhorted *John* King of *Bohemia*, *Uladislav* Duke of *Cracow*, *Boleslaus* Duke of *Wratisslaw*, and the Marquis of *Misnia*, that they should not suffer Religion to decay and be obscured by new Errors, but that they should assist the Censors of the holy Faith. Fourteen Men and Women were burnt in *Bohemia*. *Walter*, the Principal of the Sect of the *Lollards*, was burnt at *Colonne*, Anno 1322.

About the same Time, Pope *John*, by a Letter, N^o. 190, renewed the Constitutions of *Clement IV.* and other his Predecessors, against the *Jews*,
N^o. 2. E and

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and confirmed by severer Laws the Power given to the Inquisitors against them, and commanded the Book of the *Talmud* to be burnt, and such who were convicted of their execrable Blasphemies to be punished.

Nor did he shew less Severity against the *Valdenses*, reviving about that Time in *France*; for he ordered that many of them, who were convicted of Errors by the Inquisitors, who were *Predicant* Friars, should be delivered to the Princes, to be punished according to the Ecclesiastical Law. There is extant in the *Vatican* Library a large Volume of the Transactions of these *Predicant* Friars against Hereticks in the Kingdom of *France*, this Year of our Lord 1319.

The same *John XXII.* condemned the *Beguins* of Heresy, and commanded the Inquisitors of heretical Pravity to proceed against them, and to deliver over to the Secular Court all who continued obstinate in their Error, to be punished with Death.

These *Beguins* were Monks of the Order of *St. Francis*: They are several Times called, *of the third Rule of St. Francis*. His Rule was, that the Friars of his Order should have no particular Property of their own, neither House, nor Place, nor any Thing, but should live by begging: This he called Evangelick Poverty. This Rule was confirmed and approved by several Popes. But as many believed the Observance of it to be above all human Strength, many Doubts arose concerning it; some contending that they were to renounce the Property of all Things in particular, but not in common; and that it was no ways contrary to the *Franciscan* Poverty to have the Possession of Things in common, so that they possessed nothing in particular. But *Nicholas III.* condemned this Opinion by a Constitution. However, though all Property was taken from these Friars, as well in common as in special, yet were they not deprived of the Use of what they had. For *Martin IV.* published a Bull, *February* Calends 10, 1282, by which he ordained, that the Property, the Right and Dominion of every Thing which the Friars had by Donation or Legacy, should be in the Church of *Rome*, but that the Friars should have the Use. He also allowed the Ministers and Keepers of the Order, the Faculty of naming Administrators, Stewards, Syndicks; who, in the Name of the Church of *Rome*, and for the Advantage of the Friars, may receive and demand Alms and Legacies, and sue for the Recovery and Preservation of them. *Clement V.* confirmed the same in the Council of *Vienna*, by a Constitution extant among the *Clementines*. However, *Clement* allowed, that when it appeared very likely, even from Experience, that they could not otherwise secure the Necessaries of Life, they might have

have Granaries or Store-houses, in which they might reposit and keep whatever they could get by begging. He left, indeed, the Ministers and Keepers to judge of such Necessity, and gave it in special Charge to their Consciences.

Against this those who were called *Beguins* protested, declaring they were of the third Rule of St. *Francis*. They contended that the *Franciscans* ought in no Case to have Granaries or Store-houses, because this was contrary to the Perfection of the *Franciscan* Poverty; that the Pope had not Authority to dispense with the Rule of *Francis*; and that if he did, his Decrees were of no Force, and might justly be disregarded. One of them who lived at this Time, *Peter John Olivus*, who wrote a Postill on the Apocalypse, applied to the Pope and Church of Rome the Things spoken of the Beast, and the Whore of *Babylon*, of which frequent Mention is made in the Collection of the Sentences of the *Tholouse* Inquisition.

John XXII. succeeded *Clement*, who, by several Constitutions, condemn'd the Tenet of the *Beguins*, and allowed the *Franciscans*, that, by the Judgment of the Heads of the Order, they might lay up and preserve Corn, Bread and Wine in Granaries and Store-houses. The *Beguins* believed, that such a Concession derogated from the Sublimity and Perfection of their Rule and Poverty, and therefore warmly opposed it; and, in order to defend their own Rule, dared to deny the Authority of the Pope. Upon this Account, they were declared Hereticks, and Commandment was given to the Inquisitors of heretical Pravity, to bring them before their Tribunal, and to proceed against them as Hereticks. This Decree was dated from *Avignon*, February Calends 10, 1318. Soon after, four Friars *Minors*, about the Year 1318, were condemned and burnt as Hereticks at *Marseilles*, by the Inquisitor of heretical Pravity, who was himself a *Friar Minor*; because, as they say, they were resolved to adhere and keep to the Purity, Truth, and Poverty of the Rule of St. *Francis*, and because they would not consent to make the Rule less strict, nor receive the Dispensation of the Lord Pope *John XXII.* made concerning it, nor obey him nor others in this Affair. Others of the same Order assert, that these four were unjustly condemned, and affirm them to be glorious Martyrs, and that the Pope, if he consented to their Condemnation, was an Heretick, and forfeited his Power. Upon this, the three next Years, viz. from the Year 1318, or thereabouts, they were all condemned for Hereticks, by the Judgment of the Prelates and Inquisitors of heretical Pravity, in the Province of *Narbonne*, *Beziers*,

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Lodun in the Diocese of *Agde*, and at *Lunelle*, and the Diocese of *Magalone*, who believed that the aforesaid four Friars *Minors* were holy Martyrs, and who believed, and held, and thought as they did, concerning Evangelical Poverty, and the Power of the Pope, viz. that he had lost it, and was become an Heretick. Many, however, privately gathered up the burnt Bones and Ashes of these four Friars, who had been condemned as Hereticks, and kept them for Relicks, and kissed and worshipped them as the Relicks of Saints; yea, some marked their Names and the Days in which they suffered in the Calendars. This Account agrees well with what we read of the *Beguins* in the Sentences of the *Tholouse* Inquisition. Amongst other Things, we read, *Fol.* 155, in the Sentence of *Peter Morefius de Bello Podio*, that he believed that John XXII. who was then Pope, and whom he calls the Boar of the Forest, had destroyed the Inclosure of the Church, and done more Harm to the Church of God, than all former Hereticks had done. In *Fol.* 156, 'tis described to *Bernard de na Jacina*, that he said twice or thrice, when he was speaking about the Pope's Power to dispense with the Rule of *St. Francis*: Do you believe that if the Pope bound the Tail of an Ass upon Earth, the Tail of an Ass would be bound in Heaven?

Thus from a Controversy, originally of no Moment, rose up, at length, through the Warmth of Men's Minds, a dismal Tragedy; and, after the Pope's Authority began to be called in question, a severe Persecution was raised against the *Beguins*.

Besides the Tenets commonly charged upon the aforesaid *Beguins*, there are others imputed to them of a very flagitious Nature, viz. that to kiss Women and embrace them, provided they did not consummate the carnal Sin, was greatly meritorious, and an Argument of Fortitude and Abstinence, and of a strong and acceptable Love of God, and the truest Proof that each Party was resolutely virtuous; and that whatever Lyes any Man told a Woman to gain her Consent to his Desires, was not Heresy, so that he believed in his Heart that the carnal Act was Sin; even though to gain her Consent he should tell her, that the carnal Act was meritorious, and for the Safety of her Soul; yet that it would not be Sin, if he held the contrary in his Heart. And agreeable to this was their Practice, putting themselves naked in Bed with naked Women, kissing and embracing them in a very lewd manner, boasting of their Continence and Resolution, because they abstained from the last carnal Act.

But this Affair did not end here. Friar *Berengarius*, in a Council of many Divines and Lawyers, summoned by the Bishop and Inquisitor

at Narbonne, defended the Cause of the *Beguins*. Friar *John Bemmius*, a *Predicant*, and Inquisitor, pronounced this heretical, and ordered *Berengarius* to recant. He refused, and, appealing to the Apostolick See, went to *Avignon*, and gave the Pope an Account of the whole Affair; who kept *Berengarius* in honourable Custody, and proposed it afterwards to all the Academies, and the most learned Men all over the World, as a Question fit to be debated, Whether it was not to be esteemed heretical, obstinately to affirm, that our Lord Jesus Christ, and his Apostles, had nothing in special or in common? After the Question was proposed, that all might give their Opinion with greater Freedom, he suspended the Anathema published by *Nicholas IV.* against the Interpreters of this Sense, and of the Rule of *St. Francis*, and gave to all free Power to dispute, write, and give their Sense concerning the Thesis.

The Friars *Minors* met at *Perouse*, from all the Provinces of the Christian World, about the next *Whitsontide*. There was present *Michael Casenas*, General of the Order, and other Provincial Ministers. Being admonished by some Cardinals, that they should give their Opinion in this Affair agreeable to the Sense of the Fathers, they replied thus: *Adhering firmly and wholly to the Determination of the holy Roman Church, we say and confess with one Heart and Mind, that to say and assert, that Christ, shewing the Way of Perfection, and his Apostles following the same Way of Perfection, and giving an Example to others who are willing to live perfectly, had nothing by Right of Property and Domain, no proper Right, whether special or in common, is not heretical, but sound, catholic, and faithful; especially as the holy Roman Catholick Church, which is proved never to have deviated or erred from the Path of Apostolick Tradition, says this expressly, affirms, and manifestly determines it.*

When this Rescript of the Chapter was seen, by which the Opinion of the *Beguins* was approved, the Pope published an Edict concerning the Use of Things distinct from Property: But when Friar *Bonagratia Bergomensis*, made by the Chapter Procurator of the Order, protested against the Pope, and appealed to a future Pontiff, or Oecumenical Council, which Appeal was judged to be insolent; the Pope, by a Decree, declared it to be heretical to assert, that our Saviour and his Apostles had no Right to use or consume the Things which the sacred Scriptures testify they had, nor any Right to sell or give them, or procure other Things by them.

But

But as *Cæsenas* did not acquiesce in this Sentence of the Pope, but opposed the Papal Constitutions, being assisted by the Friars *Bonagratia Bergomensis*, *Peter Corbarius*, and *William Ockham*, an *Englishman*, in the Year 1329, he was declared by the Pope to be a Favourer of Hereticks, an Arch-heretick, and degraded from all Offices, Dignities, and Honours whatsoever, and deprived of the Ecclesiastical Privilege, and declared incapable of any, and subjected to all the Punishments and Sentences, Spiritual and Temporal, to which the Favourers of Hereticks, Arch-hereticks, and Schismaticks, are liable, by Divine or Ecclesiastical Law. The Friars *Minors*, being gathered together in a General Chapter at *Paris*, after they had pronounced *Cæsenas* entirely degraded, and put *Gerard Odonis* into his Place, published this Sentence of the Pope; and declared, that both he and his Companions had incurred the Penalties of Excommunication and Privation, as notorious and manifest Apostates, which, by the Statutes of the Order, are well known to be inflicted on those Friars who withdraw themselves, and apostatize from the Obedience of the Order. This Sentence of the Order being sent to the Pope, he again pronounced *Cæsenas* guilty of various Crimes and Heresies, and condemned him, *December Calends 16*, of the same Year. *Corbarius*, terrified with this dreadful Sentence, confessed his Errors, and, after having read his Confession and Abjuration of his Errors, and sworn to obey the Apostolick Commands, he obtained the Benefit of Absolution from all Sentences, either of the Law or Men.

Cæsenas however, not terrified by these Denunciations, asserted, notwithstanding, that he was General of his Order, and a Catholick, and lived safe from the Papal Violence with his Followers, under the Government of *Lewis of Bavaria*. Upon which, the Pope renewed his Curses against them, and cited them, by a peremptory publick Edict, to appear personally before him, before the Feast of the Ascension of our Lord, to hear their Sentence: But, as they defended themselves against the Accusations and Process of the Pope, by the Apologies they publish'd, *Gerard Odonis*, General of the *Minorite* Order, sententially condemned them as Favourers of Hereticks, Hereticks and Arch-hereticks, and not only deprived them of the Company and Favour of the Order, but condemned them to perpetual Imprisonment. He commanded also all and singular the Keepers and Guardians of Convents, in Virtue of their salutary Obedience, that they should publicly declare them, in full Convent every Week, deprived and excommunicate, and sententially condemned.

And

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And finally, Pope *John* publish'd against them the thirty eighth, and the two hundred fifty ninth Sanctions. His Successor *Benedict XII.* in the Year 1335, and first of his Pontificate, renewed the Curses that *John XXII.* had pronounced against the *Fratricelli* or *Beguins*, and their Accomplices, and thus render'd them more heavy.

CHAP. VI.

The setting up the INQUISITION in Poland; renewing it in France; the Prosecutions of Wickleff, Huss, and Jerome of Prague, briefly recited; with the Establishment of the INQUISITION in Bohemia, and its Effects.

AS nothing was more serviceable to enlarge the Papal Jurisdiction than the Office of the Inquisition, the Popes were continually endeavouring to promote it, and to establish it in those Kingdoms and Countries, that hitherto had been free from so grievous a Yoke, that there might not be any Place of Shelter or Refuge in the whole Christian World to such as should in the least contradict their Decrees. Anno 1327, Pope *John XXII.* by Letters to the King and Prelates of *Poland*, and to the Provincial of the *Predicant* Friars of the same Kingdom, appointed the Inquisition in *Poland*; which, in the Year following, *Uladislaus Jagello*, King of *Poland*, confirmed and enlarged, by a Royal Edict, granting them the most ample Power, and commanding all the Magistrates to give them all manner of Assistance in the Execution of their Office.

At this Time the Inquisition began to decline in *France*; but, as there was a pretty large Number of the *Valdenses* remaining in *Dauphiny*, and their Religion began to spread wider, *Gregory* applied himself to *Charles* King of *France*. He put him in Mind of the Examples of his Predecessors in destroying Hereticks, and admonished him to suppress the Nobles of *Dauphiny*, who took the Hereticks under their Protection; and that he should support the Authority of the Inquisitors, not only by severer Edicts, but by sending some Royal Officer to their Assistance. King *Charles* yielded to the Pope's Desires; and, after the manner of his Ancestors, by a Royal Edict, commanded that Hereticks should suffer the

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the severest Punishments; and that the Magistrates in *Dauphiny* should assist and aid the Officers of the Holy Inquisition. *Antonius Massanus*, Apostolick Inter-nuncio, acted in this Affair with such Zeal, that the Prisons were scarce sufficient to hold the Criminals; nor was their Provision enough for their Support. *Gregory*, having been consulted in this Matter, order'd, that as the great Number of Hereticks was owing to the Negligence of the Prelates, the Revenues of the Churches should be applied to that Use; and commanded new and stronger Jails to be built at *Arles*, *Ambrune*, *Vienne*, and *Avignon*, and granted Indulgences to the Faithful who should contribute to the Work.

John Wickleff, about this Time, arose in *England*; and not only opposed several Errors of the Church of *Rome*, but especially the exorbitant Power of the *Roman Pontiff*, vindicating the Rights of the Secular Magistrates, and teaching that the Clergy were not exempted from their Jurisdiction and Obedience. The Pope, by his Letters to the University of *Oxford*, commanded them, by Virtue of their holy Obedience, and under the Penalty of their being deprived of all Favours, Indulgences, and Privileges, that had been granted them by the Apostolick See, that they should not suffer any one to defend *Wickleff's Propositions*, but should order *Wickleff himself* to be seiz'd, and send him in safe Custody to the Archbishop of *Canterbury*, and the Bishop of *London*, or one of them. He also, by Letters, commanded the said Archbishop of *Canterbury* and Bishop of *London*, that they should order *Wickleff* to be apprehended by the Papal Authority, and commit him to Jail, and put him in Irons under safe Custody, till farther Orders from himself upon this Affair. And, after mention of these Things out of his former Letters, he farther commands, That if the aforesaid *John*, apprehending his being seized and imprisoned, should abscond, so that they could not apprehend and confine him; that then they should take Care peremptorily to admonish and cite him, in the Pope's Name, by a publick Edict, to be set up in one of the Colleges of *Oxford*, then in the Diocese of *Lincoln*, and all other publick Places, to appear and answer personally to his Propositions before the Pope, wherever he should be, within the Space of three Months, to be computed from the Day of this Citation; adding, That whether the said *John* should appear or not, within the said Term, they should proceed against him upon the Premises, even to the Condemnation he had deserved, according as his Crimes should require, and as they saw fit, for the Honour of God, and the Preservation of the Faith.

Richard King of *England*, after *Wickleff's* Death, commanded, by a solemn Edict, all his Writings to be burnt, together with those of *Nicholas Hereford*
and

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and *John Aston*. In the Year 1396, the Pope wrote to the King, and begged him to assist the Prelates of the Church in the Cause of God, of the King himself, and the Kingdom, against the *Lollards*; and earnestly besought him that he would condemn those whom the Prelates should declare Hereticks. The same Year, *Thomas Arundel*, Archbishop of *Canterbury*, and Apostolick Legate, held a Provincial Synod at *London*, to extirpate the Heresy of *Wickleff*, in which were condemned eighteen of his Articles. After this, the Archbishop used great Severity against those who maintained them, many of whom he condemned to the Flames. To such as abjured, he appointed an wholesome Penance, that in the Time of publick Prayers, and in the open Market, they should go in Procession, only with their Shirts on them, carrying in one Hand a burning Taper, and in the other a Crucifix, and that they should fall thrice on their Knees, and every Time devoutly kiss it.

Soon after arose *John Hus* in *Bohemia*, and began publickly to reprove the dissolute Lives of all the Orders. Whilst he inveigh'd only against the Seculars, all the Divines applauded him; but when once he began openly to reproach them for their corrupt Manners and Vices, they abhorred and detested him, and used their utmost Endeavours to destroy him. At that Time, Anno 1400, *Jerome of Prague* returned from *England*, and brought with him *Wickleff's* Writings, which *Hus* approved. And since many others approved of them, out of Deference to the Doctrine and Authority of *Hus*, and defended the Articles of *Wickleff*, those Articles were again examined and condemned, May 24, 1408, by forty Masters, and an infinite Number of Batchelors, who prohibited, under the Penalty of the Bann, any Person to teach them. *Hus* was very desirous to render all this ineffectual; and therefore, as the Foreigners were divided into three Classes of Votes, and the *Bohemians* made the fourth, according to the Institution of the School, he so order'd it, that the *Bohemians* should be equal in Number of Votes to the other three; upon which, they left *Prague* with Indignation, and went into *Misnia*, and there condemned again *Wickleff's* Books, and adjudged them to the Flames. Above two hundred Volumes were burnt, according to *Aeneas Sylvius*, fairly written out, and adorned with golden Bosses and curious Binding.

Not long after this, *Hus* offer'd certain Theses to be publickly disputed, by which he opposed the Indulgences which *John XXIII.* had granted to those who should engage in the Cruciad, which he had ordered against the King of *Naples*. *Jerome of Prague* also shewed their Vanity. At

length, after many Processes formed against the Memory of *Wickleff*, and against *Huss*, the Council of *Constance* assembled, and ordered *Huss* to appear before them, and give an Account of his Doctrine; and, to prevent his not coming, *Sigismund* the Emperor gave him Letters of safe Conduct, for his coming there, staying, and Departure thence. In this Synod, the Doctrine of *Wickleff* and *Huss* was condemned: Several learned Men were deputed to examine both their Doctrines, who, when they had read their Books, pronounced that they had found forty five pernicious Articles in *Wickleff*, and thirty in *Huss*; which, though they were not all of them equally impious, some being worse than others, yet all contained deadly Poison, and were altogether, or, at least, in some Part, contrary to the wholesome Doctrine of the Church: Upon this, the Synod not only condemned the Books, but pronounced Sentence against *Wickleff*, though dead; by which they declared him an Heretick, excommunicated him, and order'd his Bones, if they could be found, to be taken out of their Grave and burnt. They also not only condemn'd *John Huss*, who came to the Council with Letters of safe Conduct from the Emperor; but, in Violation of the publick Faith, order'd him to be burnt alive. The Emperor, that he might have some Pretence thus to violate his Faith, made a Decree, that Inquisition might be made by a proper Judge of heretical Pravity, notwithstanding the safe Conducts granted by Emperors and Kings, &c. The Words of the Decree are, *Although they should confide in their safe Conduct, and thus come to the Place of Judgment, and would not otherwise have come; and that he who should make such a Promise, was not obliged by it as to any one, because he promised what was not in his Power.* Afterwards also *Jerome of Prague*, terrified with the dreadful Punishment of *Huss*, renounced at first, through human Infirmary, the Doctrine of *Wickleff* and *Huss*; but soon recovered his Courage, and boldly asserted and defended it before the whole Synod; upon which they condemn'd him as a Relapse, and order'd him to be burnt.

But, since many of the Papists endeavour to wipe off this Infamy of having violated the Faith, I shall take this Occasion briefly to shew that the publick Faith was violated in the Case of *Huss*, by Command of the Synod. They deny that the Synod gave their Faith to *Huss*, and that 'twas only the Emperor; so that the Synod, which was the legal Judge of the Faith, might pronounce Judgment concerning *Huss's* Doctrine, although the Emperor had given him Letters of safe Conduct; because the Affair of Heresy is wholly Ecclesiastical, and not within the Bounds

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of the secular Power. But the Charge is not, that the Synod violated the Faith by condemning *Hus* of Heresy, but because they caused him to be burnt. The Power of the Synod, according to the Papists themselves, extends no farther than to their judging of the Faith, and pronouncing by their Sentence any one an Heretick and Obstinate, and throwing him out of the Bosom of the Church; after Sentence, they immediately deliver him over to the Secular Power, that he may inflict on him the Punishments appointed by the Civil Laws. In this manner the Synod proceeded in the Cause of *Hus*. After they had declared him an Heretick, and degraded him in the Council, they added this Decree to their Sentence: *This holy Synod of Constance, considering, N. B. that the Church of God cannot proceed farther, decrees that John Hus shall be left to the secular Judgment, and given up to the secular Court.* Thus far therefore the Church performed her Duty: All the rest belonged to the secular Jurisdiction. But here the Emperor had taken Care for *Hus's* Security, by giving him Letters of safe Conduct, and therefore could not condemn him to be burnt without violating his Faith: And therefore the Synod, to remove this Scruple from the Emperor, pronounced, by their Decree, that he who bound himself by such a Promise, was in no manner obliged by it as to any one, because he promised what was not properly in his Power to grant. So that the Synod did not properly violate the Faith given by themselves, but pronounced, by their Decree, that Emperors, Kings, and Princes, were in no manner obliged by their Promises of safe Conduct, and that therefore they might, with a safe Conscience, break them, even when granted by publick Letters, at the Beck of the Council. And this is so manifest from the Decree of the Council of *Constance*, that *Simanca*, a Spaniard, proves from thence, that Faith is not to be kept with Hereticks: *Therefore, says he, Hereticks are justly burnt with eighteous Flames, by the most grave Determination of the Council of Constance, even though they had received the Promise of Safety.* And farther, *Bzovius* relates, that Pope *Martin*, endeavouring to dissuade *Alexander*, General of *Lithuania*, from giving any Assistance to the *Bokemians*, thus, amongst other Things, writes to him in his Letter: *But if you have been any ways engaged by Promise to undertake their Defence, know, that you could not give your Faith to Hereticks, who are Violators of the holy Faith, and that you will sin mortally if you keep it, because a Believer can have no Communion with an Infidel.* What can be clearer? I shall add nothing farther in so evident a Matter. It is enough that I have shewn that the Faith was

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violated by the Council of Constance, the Papists themselves being Judges, and indeed approving it.

Wickleff, Hufs, and Jerome, and their Doctrine, being thus condemn'd; Martin V. sent Letters to the Archbishops, Bishops, and the Inquisitors of heretical Pravity every where; in which he tells them, That in the Kingdoms of Bohemia, the Marquisate of Moravia, and the neighbouring Places, John Wickleff, John Hufs, and Jerome of Prague, Arch-hereticks, had risen up, and that the Council of Constance had condemned their Writings and Books: But whereas some of their Followers were in Possession of them; he commands, that all such Persons, and all who approved their Doctrines, and were their Abettors, should be delivered over as Hereticks to the secular Courts: That such who received them, if it were only through common Affection, or the like Causes, should be strictly prohibited: That the Impenitent should be severely punished. He commands Princes to banish them their Dominions. He orders manifest Hereticks, though not condemn'd, to be punished, and even suspected ones, if they would not canonically purge themselves. He farther commands the Princes to obey the Inquisitors. He orders suspected Persons to be interrogated upon the Articles of Wickleff and Hufs, which he afterwards subjoins with the Interrogatories, and to be cited for this Purpose. He commands this Bull to be publish'd, and that all Sundays and Festivals it should be publicly declared, that all Hereticks and their Abettors were excommunicated. That all who held the Errors of the aforesaid Arch-hereticks, and their Abettors, even though confessed, should be punished, if they refused to make a publick Abjuration, or to undergo the Penance enjoined them. Finally, he repeals every Thing contrary hereto.

By this Decree, the Inquisition was restored and established in the Kingdom of Bohemia, whereby many were condemn'd of Heresy, and put to Death by various Punishments: Some were burnt alive; others thrown into the River, ty'd Hands and Feet, and so drowned; and others destroy'd by different Methods of Cruelty.

The Cruelties exercised in the wretched Kingdom just mentioned, deserve a more particular Relation; and as I have in my Hand a very full and authentick History of what passed there, from the Year of Christ 894, to 1632, which was printed at London by the Direction of the Prince Palatine, then styling himself King of Bohemia, I judged it by no means proper to omit the Insertion of some particular Relations from thence, as well for the Entertainment of the Reader, as to shew the Spirit of the

Romanists

Romanists in those Times. To say Truth, the Kingdom of *Bobemia* is, at this Time, a terrible Instance of the barbarous Disposition of religious Persecutors, its Inhabitants living in perpetual Slavery; to which they were reduced by the Wars carried on for bringing them back to the *Romanish* Faith. In vain has Nature given them a most excellent Soil, and a Country, which, for its Abundance in all Things necessary for human Life, yields not, perhaps, to any other in *Europe*: In vain are the People of strong, robust Constitutions, patient of Labour, and industrious in their Temper: In vain is the whole Kingdom almost surrounded by Mountains, which are, for might be easily made inexpugnable Bulwarks against foreign Enemies: All these Advantages are render'd void, to a People subdued under a Pretence of Heresy, and since render'd stupid by Oppression. But to return to the Current of the History we promised.

The new Pope elected at the Synod, was named *Martin V.* With kind Letters, dated at *Constance* in the Year 1418, he invited the *Bobemians* to renounce the Errors of *Wickleff* and *Huss*; but afterwards, in the Year 1420, he publicly excommunicated them at *Florence*, and excited all Princes and Commonwealths to take up Arms against them; intreating them, by the Wounds of Christ, and their own Salvation, unanimously to fall upon them, and quite extirpate that sacrilegious and cursed Nation, promising a universal Remission of Sins to the most wicked Person that should kill but one *Bobemian*. This fine Promise prevailed so much on the Emperor *Sigismund*, that, in the same Year, he enter'd *Bobemia* with a powerful Army, and wearied that Country with thirteen Years War, which was called the *Hussite* War; concerning which, *Aeneas Sylvius*, afterwards Pope, has wrote an elaborate History. But the State of the *Bobemian* Affairs were very confused at Home: Some of them stood for the Emperor and Pope; others defended the Use of the Cup, from whence they were called *Calix-tites*. With horrible Cruelty they were inflamed to destroy each other; when, after the Death of *Wenceslaus*, in the Year 1419, *Sigismund* took the Kingdom, and ordered several Things to be executed by his Delegates, which were directly contrary to the Liberties and Consciences of that unhappy People, following soon after himself with an Army to protect them in their Villainies. This alarmed some Thousands of those who professed the pure Religion to such a Degree, that they retired together to a stony Mountain, ten Miles from *Prague*, which they named *Tabor*. They encompassed the Mountain about with a Wall, and there constituted a Commonwealth, resolving to defend it by Arms, in case of Necessity; from whence they

are,

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are, in History, called *Taborites*. The Papists persecuted them with the utmost Malice; and when these poor People sent two Embassadors to intreat for Peace, they inhumanly cast them headlong into the most deep Mines of Metal; a Punishment generally inflicted on the worst of Malefactors. An Author of unblemished Reputation reports, that, In the Year 1420, there were cast into the first Mine, near *Cuttensburg*, seventy hundred Persons; in the second, ten hundred and thirty eight; in the third, thirteen hundred and thirty four. In Commemoration of these Martyrs, every Year, on the 18th of *April*, there was a solemn Meeting at that Place, where a Church was built, which is yet standing. The chief Master of the Mint used his utmost Endeavours to hinder it, but to no purpose; till in the Year 1621; at which Time, the People of God were so severely persecuted, by the bloody-thirsty Papists, that they were obliged to forbear those Meetings.

Sigismund the Emperor, and *Fernandus* the Pope's Legate, were met, to consult about the carrying on the War against the *Bohemians*; when *John Krasa*, a chief Merchant at *Prague*, happened to come to *Presslau*, (at which Place they then were) in order to transact the Affairs of his Calling. At the Inn where he lodged, there happened a Dispute concerning *Huss*, whose Innocence he strongly defended, saying, he was unjustly condemned: Some Information had likewise been given, that this Gentleman had taken the Eucharist in both kinds; for these pretended Crimes he was seized, and thrown into Prison. The next Day a Student, who was sent by the Inhabitants of *Prague* to *Cæsar* at *Presslau*, by whom they declared, That if the Emperor would permit them the Cup, they would acknowledge him to be their King; was, after having received very cruel Usage, committed to the same Prison.

Krasa encouraged him, exceedingly rejoicing that he had such a Companion in Martydom. "Oh, my Brother, (said he) what an Honour is this, that we are called to bear Witness to the Lord Jesus. Let us undergo with Cheerfulness these light Afflictions: The Fight is but short, the Reward is eternal. Let us remember our Lord, what a cruel Death he underwent for us, and with what guiltless Blood we were redeemed; what Torments since have been endured, by numberless pious Martyrs, for the Faith, with miraculous Patience." After this manner, he constantly exhorted his Fellow-Sufferer to persevere in the Truth. But when they were brought to Execution, and the Ropes, by which Horses were to drag them through the City, were ty'd to their Feet; the Student, terrified with the Thoughts of Death, and flatter'd by

by the Legate, who was then present, with the Hopes of Life, presently yielded, and recanted the Doctrine of *Huss*, which then began to be called erroneous. But *Krasa* stood like a Rock, unshaken against all the Persuasions of that abominable Minister of Anti-christ; telling him, that Death it self, much less his weak Arguments, was of no Effect to make him recant. After this Speech, he was drawn slowly through the Streets; the Legate, at every Turning, enveighing against him, (yet he would often command the Hangman to stop) while he exhorted *Krasa* to pity himself, and recant those Errors, (as he called them) which the *Bobemians* had so rashly spread abroad. But all the Answer he could obtain, from this pious Christian, was, "I am ready to die for the Gospel of JESUS CHRIST." At length being brought, scarce half alive, through the Torments he had endured, by dragging at the Horses Heels on the Ground, to the Place of Execution, he was burnt. This was done on the 14th of *March*, 1420; and, on the *Sunday* following, the Legate commanded the Excommunication of the *Bobemians*, made by Pope *Martin*, together with the late Sentence and Execution of *Krasa*, to be stuck on the Church Gates, and to be declared in the Pulpits.

The Year following, the chief Magistrate, or Consul of the City of *Litomericia*, a cruel and deceitful Man, to convince the Pope of his extraordinary Zeal, caused four and twenty of the chief Citizens (among whom was the Husband of his only Daughter) to be seized, and imprisoned, in the highest Tower at *St. Michael's Gate*, where they were kept till they were almost perished with Hunger and Cold. At length, after having consulted with some Captains of *Sigismund's* Army, he caused them to be brought out, to receive Sentence of Death, which he pronounced on them himself, and was to be executed on them immediately, by being drowned in the River *Albis*. In vain did their Relations petition for Mercy; in vain did his only Child kneel at his Feet! In an Agony of Grief, covered with Tears, she held his Robe, and, in the most moving Terms, begg'd the Life of her Husband. The *Barbarian*, or (to sum up all Iniquity in one Word) the bigotted Papist, commanded her to leave off weeping; telling her, she knew not what she asked: What, said he, cannot I provide a more worthy Husband than this Heretick? The poor Lady, finding all her Endeavours could not move him, rose up, and only said, Oh, Father, you shall never espouse me more to any. By this Time the Carts were come, in which they were to be carried to the River; and a great Concourſe of People, with the Wives, Children, and Friends of the innocent Victims, were assembled to attend them to the dread-

dreadful Scene of Horror. The Consul's Daughter kept close by her Husband, all the Way, beating her Breast, and tearing the Hair from off her Head. When the Martyrs were brought to the Banks of *Albis*, they were taken down from the Carts; and, while the Ferries were preparing, they took their last Farewel of their Wives and Friends, with loud Voices protesting their Innocency, earnestly exhorting them to Zeal and Constancy, to cleave to the Word of God, without any Regard to Mens Inventions. With Christian Charity they forgave, and pray'd for their Enemies. Thus, recommending their Souls to God, they were put into the Boats, and carried into the Middle of the River; from whence they were thrown in, bound Hands and Feet, that they might have no Opportunity to escape drowning. Several Officers stood upon the Shore, with Iron Forks and Poles, watching that none of them should be cast on the Banks, stabbing those who happen'd to roul towards them, though the poor Wretches were half dead before. The Consul's Daughter, seeing her Husband, leapt into the River, and, clasping him about the Middle, endeavoured to save him from drowning; but she not being able to wade, by reason of the Depth, nor he to unloose himself, they sunk to the Bottom together. The next Day they were taken up, and buried both in one Grave. The Pangs of Death had not been able to make her let go her Hold; for they were found with her Arms closely embracing the Body of her beloved Husband. This was done on the 30th of *May*, in the Year 1421. This History was soon after engraven in golden Letters, in the Church of *All-Saints* at *Litomericia*, for an eternal Memorial; and was also to be seen in a Table before *St. Michael's Gate*: But, in the Year 1623, on the 8th of *July*, it was erased out, by the Command of *George Micbna*, a Commissioner for Reformation.

In the same Year, *Albert* of *Austria* sent Auxiliaries to *Prague*, to assist *Sigismund* his Father-in-Law. A Party of his Horse at *Arnostowitz* (a Village near *Milixine*) brought *Wenceslaus*, the Curate of that Place, (a Divine of exemplary Piety) with his Officiary, three Countrymen, and four Boys (the eldest of them was not above eleven Years of Age) to their Colonel at *Bystrick*, where their Quarters were. The Clergymen were apprehended for administering, the others for receiving the Sacrament under both kinds, *i. e.* of Bread and Wine. The Bishop commanded *Wenceslaus* to abjure, for the Time to come, the Administration of the Sacrament in that manner; telling him, if he refused to do so, he should be burnt alive. To whom the good Pastor returned this resolute and gallant Answer: "The Gospel doth teach me otherwise; as doth likewise

" your

"your own Missals: You must approve what I have done, or blot it out of your Bible." The poor deluded People, who stood by, were so much exasperated at this Reply, that one of the Troopers struck the good Man in the Face with his Gantlet, so violently, that the Blood gushed out from his Mouth and Nostrils; whereupon the Bishop returned him to the Colonel. He again sent him back to the Bishop, who made him the Subject of Mirth and Scorn all that Night: And the next Day, being *Sunday*, he, with the rest of his innocent Companions, were fasten'd to the Stake; nay, so far did their Malice work, that, by way of Diversion, they placed the poor Children in the Lap of *Wenceslaus*. The Bishop, who stood by, admonished them to abjure that Part of the Sacrament in which the Cup is used: But the faithful Curate made Answer for him and his, "God forbid; we had rather suffer an hundred Deaths, if it were possible, than deny a Truth so clearly revealed in the Gospel." On this, the Executioner was commanded to set the Faggots on fire, who immediately, with the Flame, sent them up a grateful Sacrifice to the ALMIGHTY; *Wenceslaus* being the last that gave up the Ghost.

The latter End of the same Month, a Taylor, whose Name was also *Wenceslaus*, was shut up in a Tub, and burnt at *Prague*: It was objected against him, that, at a Monstrance, he dishonoured the Sacrament; not only by refusing to rise, but afterwards by turning his Back on the Host.

Soon after *Martin Loans*, a Man of good Repute in *Prague*, was apprehended. He was accused for renewing the Error of the *Valdenses* in the Solemnity of the Sacrament, and for affirming, by a horrible Profaneness, that both the Bread and the Cup were to be given into the Hands of the Communicants; but, by the Intercession of the *Taborenes*, he escaped for that Time, and was deliver'd from his Confinement. But knowing well the Madness of the Times, and the envious Disposition of the Papists, he thought fit to remove into *Moravia*, taking with him *Procopius Jednook* as a Companion. As they travelled through *Chrudim*, they were taken by Captain *Denis*, and being both manacled, and loaded with heavy Irons, they were examined what their Judgment was concerning the Sacrament. *Martin* made answer, "The Body of Christ is in Heaven; for he hath but one Body, not many." The Captain gave him a Box on the Ear, for uttering, what he termed, a horrid Blasphemy; and immediately called for the Hangman to burn the Hereticks. But *Ambrose*, the Pastor of *Hrada*, being present, desired that those two

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Men might be deliver'd to his Care, which the Captain granted. He kept them fifteen Days Prisoners at *Hrada*, endeavouring to make them acknowledge that they were in an Error, and recant; but when he found them resolute in their Opinion, he sent them to *Randice*, where they were thrust into a dark Dungeon for two Months, none of the People being suffered to come unto them. In this horrid Place, they were most cruelly tormented; they were consumed with Fire, till some of their Bowels came forth, to make them confess from whence they derived their Errors, and who were their Accomplices in *Prague*. In the midst of these Pangs, they were admonished to return from their Errors, into the Paths of Truth; to which they smilingly answer'd, "Not we, but you, must think of returning; for you are drawn aside from the Word of God, to the vile Impostures of Anti-christ, and you do foolishly worship the Creature instead of the CREATOR." When they were brought forth to be burnt, the Priests asked, if they would not desire the People's Prayers? To which they replied, "We do not need their Prayers; pray for your selves, O Christians, and for those who do seduce you, that the everlasting Father of Light may bring you out of Darkness." After which Speech, they were instantly shut up together in a Tub, and thrown into the Fire.

In the Year 1441, several Persons were taken at *Prague*; among whom were three Divines and two wealthy Citizens; some for being addicted to *Martin's* Opinion, and others for forbidding the Torches to be lighted at the Altar before the taking of the Sacrament. For these supposed Crimes, they all underwent the fiery Trial: Such has been the tender Mercy of the Papists in all Ages.



CHAP. VII.
Of the Establishment of the INQUISITION in Spain, first against the Moors and Jews, then against Hereticks; its Power, Method of Proceeding, Privileges, &c.

THE Inquisition was brought pretty early into several Kingdoms of Spain; but as yet it either had not been fixed in Castile and Leon, or was there grown into Disuse. Ferdinand and Isabella, having united the several Kingdoms of Spain by their Inter-marriage, after having obtained signal Victories over the Moors, order'd Tribunals of the Inquisition to be erected throughout all their Kingdoms. It is not easy to be determined whether they did this out of their blind Zeal for Religion, or that they might possess their Kingdoms in greater Peace and Security, after having expelled the Mahometan and Jewish Superstitions out of them; or, as some believe, because they affected the universal Monarchy of Europe; and therefore, by some notable Undertaking, to shew their great Zeal for the Roman Religion, endeavour'd to secure the Good-will and Favour of the Pope. However, as the Inquisition had flourished for many Years in Italy, France, Germany, Poland, and Arragon, they introduced the Inquisition into all their Kingdoms by Authority of Pope Sixtus, with greater Pomp, Magnificence, and Power, that they might not be exceeded by any Nation, but might rather exceed all others, in their Endeavours to maintain the Roman Faith against all Opposition. The Pretence was this:

That by the Licentiousness of former Times great Corruptions had arisen in the Kingdom, Moors, Jews, and Christians promiscuously conversing, and having all sort of Commerce with each other; that by such Commerce and Familiarity some Christians might be easily infected, and others forsake the Christian Worship which they had received, after having renounced their native Superstition, being weak in the Faith, and having none to forbid them. The Infection was said to have spread most at Seville, where many, after being privately put to the Question, suffered the most grievous Punishments. The Occasion was this: Alphonfus Hojeda, Prior of the Convent of St. Paul at Seville, a Predicant, had for many Years, in his Sermons to the People, bitterly inveighed against those,

who, leaving the Profession of Christianity, apostatized to *Judaism*. This Man was informed, by a certain Citizen of the Family of the *Gusmans*, that on a *Thursday*, during the Festival of the Sacrament, the first Vigil of the Night, several *Jews* and Apostates had got together in some Houses, and there performed the *Jewish* Ceremonies, and uttered execrable Blasphemies and Reproaches against our Saviour. All these Things *Gusman* saw with his Eyes in a private Part of a House, where he concealed himself with a Girl. The Prior persuaded *Gusman* to write all these Things down, and sign them with his Name, and then immediately went and discover'd all to the King and Queen at *Cordova*. They ordered that the Affair should be enquired into. Upon this, the Prior put six of this Number into Irons in the Convent of *St. Paul*, afterwards several more of them, and at last severely punished all of them, according to the Nature of their Offence. They who were the most guilty were burnt, after long Imprisonment and Torture; such as were less guilty, had their Families render'd infamous; great Numbers had their Estates confiscated, and were condemned to perpetual Darkness and Chains. A large red Cross, with cross Rays, upon a yellow Garment, which they call *San Benito*, different from the rest, was put on most of them, as an Example to others, and to be a Terror to them. All these Things seem'd at first grievous to the Provincials, but especially that the Children should suffer for the Parents Crimes, that People should be render'd guilty by a private Accuser, and condemned without being confronted with the Informer, contrary to the ancient Custom, when Offences against Religion were punished with Death. But what they looked on as the worst, was, that the Inquisitors took away all Liberty of free Conversation, having their Spies in Cities, Towns, and Villages, which they thought to be the lowest Slavery. Amongst many different Judgments, some were against Death, though all thought very severe Punishments should be inflicted. Others thought they ought not to have the Benefit of Life and the common Air; that they ought to be punished with Forfeiture of Goods, and with Infamy, without any Regard to their Children; that this was wisely provided for by the Laws, that Parents should be render'd more cautious, by their Affection for their Children; that dropping of Actions would be prevented, by allowing private Witnesses; and that by this Means none would be punished but such as were plainly convicted, or confessed: That the ancient Customs of the Church were often changed, as Affairs and Times required; and that greater Licentiousness ought

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to be restrained with greater Severity. Judges were chosen out of every Province, to whose Pleasure the Fortunes, Reputations, and Lives of all Persons were committed.

These Transactions at *Seville* were soon known all over *Spain*; upon which divers Intimations were given to their Catholick Majesties, that most of the *Jews* lately converted to the Faith, whose Parents had been perswaded to believe by the Sermons of *St. Vincentius Ferrerius*, used secretly in their Houses the *Jewish* Rites, and taught Christians the old Law: That therefore they earnestly besought their Majesties, out of their Catholick Piety, to put a Stop to these growing Evils, lest the poisonous Contagion should every Day spread farther; for otherwise, unless a Remedy was immediately applied, great Inconveniences would accrue to the Church of God. Amongst these, the Chief were *Peter Gonzalez a Mendoza*, Archbishop of *Seville*, *Friar Thomas a Turrecremata*, a *Predicant*, the Prior of the Convent of the Holy Cross at *Segovia*, and their Majesties Confessor. By his Instigation principally, *Ferdinand* and *Elizabeth* placed *Gonzalez Mendoza*, Archbishop of *Seville*, over all Causes of the Faith, joining in Commission with him *Friar Thomas a Turrecremata*, to recover the Office of the Inquisition, which, in Process of Time, had very much declined in that Kingdom, to its former Vigour and Severity.

By Authority of the Bull of *Sixtus IV.* they appointed only two Inquisitors at *Seville*; *Friar Michael a Morillo*, and *Friar John a S. Martino*; the first Doctor, the other Bachelor of Divinity, both *Predicants*. Anno 1482, the Pope confirmed these two, who were chosen Inquisitors by their Majesties, upon this Condition, that they should proceed in Causes of Faith, in Conjunction with the Ordinaries of Places, according to the Order of the Law: But, because the Pope apprehended that the Inquisitors, which were settled either by the General or the Provincials of the *Dominican* Order in the Provinces, were sufficient to manage the Affairs of the Faith, he deprived their Majesties of the Power of making Inquisitors in other Places. Anno 1483, the same *Sixtus IV.* at the Request of their said Majesties, appointed by his Bull, bearing Date the 3^d of the Ides of *February*, seven *Dominicans* Censors of the Faith, who might have Cognizance of Matters relating to the Faith, in the Kingdoms of *Castile* and *Leon*, because the two Inquisitors at *Seville* were not sufficient. These, by the Pope's Command, made a severe Inquisition against all who were secretly guilty of *Judaism*.

Within

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Within the Time fixed for Persons voluntarily to confess their Sins, with the Hopes of Pardon, about seventeen thousand of both Sexes appeared, who had their Lives granted them. Many, however, refused to obey either the Papal Letters, or Royal Edicts, but persisted, as Popish Writers say, in their Heresy; for which they were seized, upon the Testimony of credible Witnesses, and, through the Violence of their Torments, confessing their Crimes, were thrown into the Fire, of which some are reported to have bewailed their Sins, and acknowledged Christ; whilst others persisted in their Errors, calling on the Name of *Moses*. Within a few Years, two thousand of them, of both Sexes, were burnt; others, professing Repentance, were condemned to perpetual Imprisonment; others wore Crosses; the Bones of others who were dead were taken out of their Graves and burnt to Ashes, their Effects confiscated, and their Children deprived of their Honours and Offices. Most of the *Jews*, being terrified with this Cruelty, left their Country and Houses, and, in this great Distress of their Affairs, fled from the Kingdoms of their Catholick Majesties. Many went into *Portugal*, many into *Navarre*, others into *Italy*, others into *France* and other Countries, where they thought they could be safe; all whose Goods and Effects, moveable and immoveable, if they had any, their Catholick Majesties distributed towards the War, which was then made against the *Moors*, and other Barbarians. These Things amounted to a prodigious Sum. In *Andalusia* and *Granada* alone, those who fled with their Wives and Children left five thousand naked and empty Houses. Others, according to *Paramus*, affirm, that their Number was much greater; this is certain, that, in the City and Diocese of *Seville* only, there were above an hundred thousand Persons, alive or dead, present or absent, who were condemned for Contumacy, or reconciled to the Church.

And thus the different Opinions, concerning the Year of appointing the Inquisition in *Spain*, may be easily reconciled. They all agree, that the Inquisition was first introduced *Anno* 1478; but that the first Inquisitor-General, and the supreme Council of the Inquisition, was not fixed till the Year 1483.

The Method of this Tribunal, as now in Use, is this: The King proposes to the Pope the supreme Inquisitor of all his Kingdoms, whom the Pope confirms in his Office. The Inquisitor, thus confirmed by the Pope, is Head and Chief of the Inquisition in the whole Kingdom, and hath given him, by his Holiness, full Power in all Cases relating to Heresy. It belongs to his Office to name particular Inquisitors, in every Place where

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where there is any Tribunal of the Inquisition; who, nevertheless, cannot act, unless approved by the King, to send Visitors to the Provinces of the Inquisitors, to grant Dispensations to Penitents and their Children, and to deliberate concerning other very weighty Affairs. In the Royal City, the King appoints the supreme Council of the Inquisition, over which the supreme Inquisitor of the Kingdom presides. He hath joined with him five Counsellors, who have the Title of Apostolical Inquisitors, who are chose by the Inquisitor-General, upon the King's Nomination. One of these must always be a *Dominican*, according to the Constitution of *Philip III.* dated *Dec. 16, 1618.* Besides these, there is an Advocate Fiscal, two Secretaries, and one of the King's, one Receiver, two Relators, several Qualificators, and Counsellors. There are also Officials deputed by the President, with the King's Advice. The supreme Authority is in this Council of the Inquisition. They deliberate upon all Affairs with the Inquisitor-General, determine the greater Cases, make new Laws, according to the Exigency of Affairs, determine Differences amongst particular Inquisitors, punish the Offences of the Servants, receive Appeals from inferior Tribunals, and from them there is no Appeal but to the King. In other Tribunals, there are two or three Inquisitors; they have particular Places assigned them, *Toledo, Cuenca, Valladolid, Calahorra, Seville, Cordoue, Granada, Ellereña,* and in the *Arragons, Valencia, Saragossa, and Barcelona.*

These are called Provincial Inquisitors. They cannot imprison any Priest, Knight, or Nobleman, nor hold any Publick Acts of Faith, without consulting the supreme Council of the Inquisition. Sometimes this supreme Council deposes one of their own Counsellors to them, in order to give the greater Solemnity to the Acts of Faith.

These Provincial Inquisitors give all of them an Account of their Provincial Tribunal, once every Year, to the supreme Council, and especially of the Causes that have been determined within that Year, and of the State and Number of their Prisoners in actual Custody. They give also every Month an Account of all Monies which they have received, either from the Revenues of the Holy Office, or pecuniary Punishments and Fines.

This Council meets every Day, except Holy-Days, in the Palace Royal, on *Mondays, Wednesdays, and Fridays,* in the Morning; and on *Tuesdays, Thursdays, and Saturdays,* after Vespers: In these three last Days, two Counsellors of the supreme Council of *Castile* meet with them, who are also Counsellors of the supreme Council of the Inquisition.

This

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This Tribunal is now arisen to such an Height in *Spain*, that the King of *Castile*, before his Coronation, subjects himself and all his Dominions, by a special Oath, to the most holy Tribunal of this most severe Inquisition.

This Office is not, as formerly, committed to the *Predicant* or *Dominican* Friars: They began to employ it in the Secular Clergy, who were skilful in the Decrees and Laws, till at last the whole Power gradually devolved on them, so that now the *Dominican* Friars have no Part in it; though the Inquisitors oftentimes use their Assistance, in judging of Propositions, and they are employ'd as Counsellors in the Holy Office.

The first Inquisitor-General in the Kingdoms of *Spain*, was Friar *Thomas Turrecremata*, a *Predicant*, Prior of the Monastery of the Holy Cross at *Segovia*, who was in high Esteem with their Majesties, as having often expiated their Sins by Penance. *Paramus* relates, that he was created Inquisitor-General of the Kingdoms of *Castile* and *Leon* by *Sixtus IV.* Anno 1483; and that the Pope gave him Power, by his Letters, of making such Inquisitors as he thought proper, and of recalling those who had been Inquisitors there before; and ordered him to make use of the new Method appointed in managing Causes of the Faith, which was much more proper than the old one. Afterwards the same Pope made the Provinces of *Arragon*, *Valencia*, *Catalonia*, and *Sicily*, subject to the supreme Inquisitor of *Castile* and *Leon*, by his Bull, expedited the same Year 1483. This Bull *Innocent VIII.* who succeeded *Sixtus* in the Pontificate, confirmed, as far as it related to *Castile* and *Leon*, Anno 1485; and the next Year, as it related to *Arragon*, *Valencia*, and *Catalonia*, *Alexander VI.* did the same.

In the Year 1484, as we may collect from the first Instruction of *Seville*, there was held, by the Papal Authority, and at the Desire of their Catholick Majesties, a famous Assembly of Men, most learned in both Laws, and in Divinity, at *Seville*; Friar *Thomas de Turrecremata*, Inquisitor-General of all *Spain*, being President; in which the Method of Proceeding against heretical Pravity was agreed on, and several Laws and Constitutions made and settled, which the Inquisitors use to this Day. This Order was afterwards enlarged by other Instructions. In the same Assembly it was provided, that the Inquisitors should publish an Edict in their Dioceses; by which it was order'd, that whosoever, within forty, fifty, or more Days, as they should judge proper, should voluntarily and fully confess their Errors and Heresies before the Inquisitors, and should discover other Hereticks, should be admitted to wholesome Penance, and

recon-

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reconciled to the Church, without suffering Death, Irons; or the Forfeiture and Confiscation of their Effects.

Ludovicus a Paramo relates, that, in the Year 1485, there were famous Acts of the Inquisition, by the Inquisitors of heretical Pravity, in the Town of *Guadalup*, held in a Pulpit and on a very large Scaffold, erected before the Doors of the Church, in the Church-Yard, over against the Market Place; in which Acts of the Inquisition, which were seven or eight, *Friar Didacus Morebena*, an heretical Monk, and fifty two for judaizing, of both Sexes, were deliver'd over to the Fire; forty six Bodies of Hereticks were dug out of their Graves, and adjudged to the Flames; the Images of twenty five absent Persons were burnt, sixteen condemned to perpetual Punishment, besides innumerable others sent to the Gallies; and others condemned to wear consecrated coarse Habits, as a Mark of perpetual Penance and Infamy.

Pope *Sixtus IV.* at the Desire of *Ferdinand* and *Isabel*, extended the supreme Power of the Inquisition, which he had granted to *Thomas a Turrecremata*, in the Kingdom of *Castile*, to *Aragon*, *Catalonia*, *Valencia*, and *Sicily*. However, great Opposition was made to this Tribunal in *Aragon*; many declaring, that this new Form of the Inquisition was contrary to the Privileges and Liberties of the Kingdom, and was in it self too severe and unrighteous; that the Depositions of the Witnesses were not shewn to the Criminals; and that Persons Estates were confiscated because of some heretical Mark; which Things, they affirmed, were not only contrary to the Usage of the Kingdom, but to every Rule of Justice. And, that they might more easily obtain the Abrogation of the Inquisition, they sent a large Sum of Money to the Courts of the Pope, and of the King. However, they obtained nothing; so that at last the People broke out into an open Tumult; which *Raynald* and *Orozius* principally attribute to the new Converts, who, from the Jewish Superstition and Race, were converted to Christianity. Many of the principal Men joined themselves to them, who complained that new Laws were introduced contrary to the Liberties of *Aragon*. During this Sedition, *Peter Arbuesius*, the Inquisitor, was killed at *Saragossa*, as he was saying his Prayers before the High Altar. The Murder was imputed to the Jews. [The Murderers, as *Paramus* relates, were, not long after, all taken up by the Inquisitors, delivered over to the Secular Arm, and suffered most dreadful Punishments.] But all Attempts for the Liberty of *Aragon* were in vain; and so far was this Tribunal of the Inquisition in Matters of Religion from being abolished, that, upon the Death of those

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who opposed it, it was much more strongly confirmed than ever. For *Ferdinand* and *Isabel*, to give the greater Authority to the Tribunal of the Inquisition, gave the Royal Palace at *Saragossa* to the Judges of the Faith, and, by many Provisions, confirmed the Tribunal of the Faith.

They also endeavoured to propagate the Office of the Inquisition in all their Kingdoms. Pope *Innocent VIII.* published a Decree, Anno 1495, against those who should hinder any from appealing to the Apostolick See. When that Constitution was published, it happen'd that the Bishops of *Segovia* and *Calaborre* in *Spain*, their Parents, Kindred, and some other illustrious Ecclesiastical Persons, powerful for their Riches and Interest, were accused of Heresy before the Inquisitor-General of *Aragon*, *Valencia*, and *Catalonia*. They appealed to Pope *Innocent*, that they might not be tried in the ordinary Court, but that their Cause might be determined at the Court of *Rome*. Friar *Thomas Turrecremata* was at that Time Inquisitor-General. The King and Queen thought that that Appeal was made to escape Justice, and would occasion great Scandal and Danger, and therefore intimated to the Pope what was necessary to preserve the Faith, and besought him that he would not suffer any Persons, by frivolous Pretences, to bring the ordinary Jurisdiction of the Holy Office into Contempt. The Pope was not ignorant that the Causes of the Bishops, when guilty of Heresy, belonged to the Apostolick See; but, however, did not cite them to *Rome*, but appointed the Bishop of *Tournay* his Nuncio or Commissary in *Spain*, who should examine the Cause jointly with the Inquisitor, and report the whole Affair upon the Judiciary Process to the Apostolick See, and wait for the Determination of his Holiness thereupon; but ordered that the Inquisitor should proceed upon all others, who were not Bishops, accused of Heresy, according to his Office. *Paramus* adds, "That when it was afterwards found by Experience, and the Event of Things, that great Inconveniences arose from that Method of Proceeding, the Pope ordered that the Inquisitor-General should determine in all Causes of Appeal, which is observed to this Day, the Pope never suffering such Affairs to be brought before the Apostolick See upon any Appeal whatsoever."

In the mean time, *Ferdinand* had made great Slaughter of the *Moors*, and, at last, entirely subdued them in the Kingdom of *Granada*, having reduced the City of *Granada* itself into his Power. And therefore, to purge their Kingdoms entirely of the Jewish Superstition, *Ferdinand* and *Isabel*, by a Law, drove the Jews out of *Spain*; to whom, however, after a long Consultation of the wise Men, was granted the Space of

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four Years, within which they were either to be converted to the Catholick Faith, or sell all their Effects, and depart from *Spain*, with all the Goods and Chattels they had purchased with Money. For, as *Paramus* says, they were not allowed to carry Money out of *Spain*, either Silver or Gold, because it had been prohibited by Law long before, for the Publick Good. This Edict was render'd more severe, by a new Constitution of *Thomas Turrecremata*, Inquisitor-General of the Faith, in the Month of *April*, who forbid all the Pious to have any Commerce with that Nation; and prohibited them, under a grievous Penalty, to assist them with Provision, or any other Thing, after the Period of Time that he had set them. The same *Thomas* had before perswaded the King and Queen, that they should not, for the sake of a large Sum of Money, dispense with the Confiscation of their Effects, at the earnest Prayers of the *Jews*. But *Paramus* tells us, that he went up to the Palace, and hid under his Habit a Crucifix, and thus spoke to the King and Queen with great Freedom: *I understand the King's Affair. Behold the Image of our crucified Saviour, whom that most wretched Judas sold to his Enemies for thirty Pieces of Silver, and betray'd him to his Persecutors. If ye approve that Deed, sell him for a greater Price. As to myself, I renounce all Power. Let nothing be imputed to me. You must give an Account of the Bargain to God.* After this, he laid down the Crucifix before them, and departed. When the Time was elapsed, they who persisted in their Religion were forced to depart, with their Wives, Children, Servants, Families, and Effects, and forbidden ever to return into *Spain*, where if they were ever after found, they were to be immediately punished with Death and Confiscation of Goods. It was also provided, by the Pragmatick Laws, that no *Jew* should ever enter *Spain*, upon any Pretence whatsoever, under the same Penalty of Death, and Confiscation of Goods, if ever found there; and that it should signify nothing, though they declared they were willing to be converted to the Faith, unless they should make publick Protestation of it upon their first Entrance into the Kingdom. And if any Christian was convicted of harbouring the *Jews*, all his Effects were to be forfeited. The Number of those who were thus banished from *Spain*, were four hundred thousand *Jews*, according to *Reuchlin* and others. *Mariana* says, 'tis not easy to reduce them to any certain Number. Most Writers affirm, there were an hundred and seventy thousand Families that departed; others say, there were eight hundred thousand Persons; a prodigious Number, almost exceeding Belief. Some of them, who were a little more dilatory

in gathering together their Effects, and would not turn Christians, were sold for Slaves; and of those who left their Country, *Surita* tell us, many died of the Fatigues of travelling, or the Plague.

The *Jews*, thus driven from *Spain*, fled, for the most Part, into *Portugal*, and obtained from King *John*, under certain Conditions, that they might live there for a certain Season. The Conditions were chiefly these: That every one should pay to the King eight Pieces of Gold, and leave *Portugal* within a limited Time, and forfeit their Liberty if they exceeded it; and that the King should grant them free Liberty to sail away. Whilst the King lived, he took great Care to perform his Promise to the *Jews*. He commanded his Officers in the Ports, that they should agree with the Masters of Ships, for transporting the *Jews* where they pleased for a reasonable Price; and farther order'd, that no one should injure them. But it happen'd far otherwise; for the Merchants and Masters, who had received the *Jews* on board their Ships, used them very cruelly at Sea. Not contented with the Price they had agreed for, they used all the Methods they could invent to extort more from them; and, besides this, even forced their Wives and Daughters. These horrid Abuses terrify'd the *Jews* that yet remained in *Portugal*, and they not being able, through Poverty, to purchase, within the Time, the Necessaries for their Voyage, suffer'd it to elapse, and thus lost their Liberty; and he who wanted a *Jew* Servant, begged him of the King. In the mean while King *John* died.

His Successor *Emmanuel*, finding that the *Jews* could not help staying longer in *Portugal* than the Time fixed them by *John*, gave them all their Liberty. Some Time after this, he was advised, by the King and Queen of *Castile* by Letters, not to suffer that wicked Nation, hated by God and Man, to abide in *Portugal*. After mature Deliberation of the Affair, he commanded all the *Jews* and *Moslems* in *Portugal*, who would not profess the Christian Religion, to depart the Kingdom, and set them a Day; after which, if any of them were found there, they should forfeit their Liberty. The *Moslems* immediately passed over into *Africa*: And as the *Jews* were preparing to depart, the King commanded that all their Children, who were not above fourteen Years old, should be taken from their Parents, and educated in the Christian Religion. It was a most affecting Thing, to see Children snatched from the Embraces of their Mothers, and Fathers embracing the Children violently torn from them, and even beat with Clubs, to hear the dreadful Cries they made, and every Place filled with the Lamentations and Yells of Woe. Many, thro'

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Indignation, threw their Sons into Pits, and others killed them with their own Hands. What added to their Misery was, that those who would have gone over to *Africa* to avoid these Evils, were not suffer'd; for the King deferred giving them the Liberty of sailing Day after Day. And although at first he assigned them three Ports, where they might go on board, he afterwards forbid their sailing from any other but that of *Lisbon*. This brought a vast Number of the *Jews* to that City. But, in the mean while, the appointed Day was past, so that such of them as could not get off, were necessarily made Slaves. Most of them being overcome with these Calamities, chose rather, either sincerely or feignedly, to make Profession of Christianity, than to live in such Miseries, and being baptized, recovered their Liberty and Children. No Violence, however, was offered to the *Moors*, lest the *Saracens* in *Asia* and *Africa* should make Reprisals on the Christians in those Countries.

The Papists usually ascribe this Action of the King's to a pious Mind, and his Zeal to propagate the Christian Religion, and provide for the Salvation of Children; and yet in the mean while, condemn it, as wicked and unjust, and contrary to the Laws and Constitution of the Gospel, since it is not lawful to compel any one against his Will, to the Christian Worship, or to take Children from their Parents, unless the Parents forfeit their Right in them by their Crimes.

In the Year 1500, *Francis Ximenes*, Archbishop of *Toledo*, by the Pope's Persuasion, took great Pains to convert the *Moors* of *Granada* to the Christian Faith. He first of all gained over their chief Priests, whom they call *Alfaquins*, by Gifts and Favours. A great Number followed their Example; however, others vigorously opposed *Ximenes*, and endeavoured to deter the *Moors* from Christianity. *Ximenes* ordered these to be put in Irons in Prison, and to be very cruelly used. Of this Number was one *Zegri*, who was the most powerful amongst them, upon account of the Nobility of his Birth, and his excellent Qualifications of Mind and Body. *Ximenes*, laying aside almost all Humanity, determined to punish him most severely. He deliver'd him to one *Peter Lyon*, his Chaplain, a Man of a truly Lyon-like Mind, who soon brought him to *Ximenes*'s Beck, and made him in a few Days desire to be carried before the *Alfaquin* of the Christians. Bound and dirty as he was, he came before *Ximenes*, and declared he would be a Christian; for that he had had a Vision from *Ala* (as the *Moors* call God) that Night, admonishing him to it. But truly, says he, laughing, I am a Fool to seek for Arguments any where else, but from thy fierce Lyon, to whose keeping, if any of us are committed,

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mitted, they will immediately become Christians. Upon this he declared himself a Christian, and was baptized, and experienced Ximenes's Bounty. He was afterwards of great Service, not only in promoting Christianity amongst his Countrymen, but to the Commonwealth. Ximenes, glorying in this Success, commanded all the Alcorans, and all other Books whatsoever that had any Thing in them of the Mahometan Superstition, to be brought publickly together. There were about five thousand Volumes, which were all openly burnt in one Heap to a single Book, except some few relating to Medicine, which, for the Honour of so useful an Art, were saved from the Flames, and laid up in the Complutensian Library.

One of Ximenes's Family, called Salzedus, came with two Servants to the Albaizinum. This is a Place in the City of Granada, craggy, and hanging over the rest of the City, and separated from it by its own Walls. When they were come here, first there arose reproachful Words between them and the Inhabitants, at last they came to Blows, and the two Companions of Salzedus were killed by the Multitude. Salzedus fled for it, and, with great Difficulty, escaped. However the Tumult encreased, so that the whole City was in an Uproar. Their Design was to pull down the House of Ximenes. The Tumult lasted ten Days, and was at last suppressed by the Garrison. The Albaizinenfes were condemn'd for High Treason, and had the Choice given them of Death or Baptism, upon which to a Man they embraced Christianity. The Archbishop of Granada took Care to have them daily instructed in the Christian Mysteries. He also ordered some Lessons out of the Old and New Testament to be read to the new Converts in the Moorish Language, and permitted the printing of some Books, in which some Parts of the Service of the Mass, and some Passages of the Gospel, were translated into Arabick. But Ximenes would not suffer it, saying, *It was a Sin to throw Pearl before Swine.* He allowed, indeed, the Use of some Books written by pious Men in the vulgar Tongue; but said, *That the Old and New Testament, in which there were many Things that required a learned and attentive Reader, and a chaste and pious Mind, should be kept in those three Languages only, which God, not without the greatest Mystery, ordered to be placed over his most dear Son's Head, when he suffered the Death of the Cross; and affirmed, That then Christianity would suffer the greatest Mischief, when the Bible should be translated into the vulgar Tongues.*

This Tumult spread beyond the Kingdom of Granada. Ximenes, by the Permission of the Inquisitors, endeavoured to force certain Moors, called

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called *Elches*, who had embraced Christianity, and afterwards rejected it, to become Christians again, and commanded their Children to be violently taken from them and baptized. This was the Beginning of Troubles, which afterwards grew to such an Height, that the *Moors* formed a Conspiracy, and rebelled in many Places. But as their Forces were inferior to the *Spaniards*, they were subdued, and forced to turn Christians. The King granted, that as many as would should go over to *Africa*, and provided them Ships to transport them at the Port of *Astopa*, demanding from every one that went over ten Pieces of Gold only, as the Price of their Liberty. They who would not leave their Country, he ordered to become sincere Christians. This Agreement being made, many went into *Africa*, though most of them remained in Spain, pretending themselves to be Christians, but not a jot better than those who left it, being of a very obstinate and wicked Disposition.

Anno 1501, *Ferdinand*, King of *Castile*, at the Instigation of Pope *Alexander*, took great Pains in catechising the *Moors*, and preventing their Apostacy. He published an Edict in *Castile*, against the *Moors* in that Province, and especially against those of *Andalusa*, *Granada*, and *Arragon*, commonly called *Mudegiars*, who lived and traded promiscuously with the Pious, that unless they would become Christians, they should depart his Dominions within a certain Day.

Upon the Death of *Ferdinand*, *Charles* succeeded him. The new Converts offered him eight hundred thousand Pieces of Gold, if he would command that the Witnesses at the Tribunal of the Inquisition should be always made publick. The Young King, who was about eighteen Years old, had a great Mind to the Money. But Cardinal *Ximenes*, Inquisitor General, shewed him the great Danger of such a Method, and that the Church would receive great Injury by it, and by putting him in Mind of his Grandfather *Ferdinand*, prevailed with the King to refuse the Offer.

The Tribunal of the Inquisition in *Spain*, at first erected to discover *Jews* and *Moors*, now began to proceed against Hereticks, and exercised the same Cruelty against these, as they had hitherto against the others. *Charles V.* King of *Spain*, who with great Difficulty had brought the Inquisition into the *Netherlands* against the *Lutherans* and *Reformed*, recommended it to his Son *Philip* in his Will. We have the Clause of the Will given us by *Cesar Carena*, in which the Emperor thus speaks: *Out of Regard to my Duty to Almighty God, and from my great Affection to the most serene Prince Philip II. my dearest Son, and from the strong and earnest Desire I have, that he may be safe under the Protection of Virtue, rather*

than the Greatness of his Riches, I charge him, with the greatest Affection of Soul, that he take especial Care of all Things relating to the Honour and Glory of God, as becomes the most Catholick King, and a Prince zealous for the divine Commands; and that he be always obedient to the Commands of our holy Mother the Church. And, amongst other Things, this I principally and most ardently recommend to him, highly to honour and constantly to support the Office of the holy Inquisition, as constituted by God against heretical Pravity, with its Ministers and Officials, because by this single Remedy the most grievous Offences against God can be remedied. Also I command him, that he would be careful to preserve to all Churches and ecclesiastical Persons their Immunities. And again in his Codicil to his Will, I ardently desire, and with the greatest possible Earnestness beseech him, and command him by his Regards to me his most affectionate Father, that in this Matter, in which the Welfare of all Spain is concerned, he be most zealously careful to punish all infected with Heresy with the Severity due to their Crimes, and that to this Intent, he confer the greatest Honours on the Office of the holy Inquisition, by the Care of which the Catholick Faith will be increased in his Kingdoms, and the Christian Religion preserved.

Philip gave full Proof of his Zeal to execute his Father's Commands. For, as *Pamianus Strada* testifies of him, when he was requested by many to grant Liberty of Religion in the Low Countries, he prostrated himself before a Crucifix, and uttered these Words: I beseech the Divine Majesty, that I may always continue in this Mind; that I may never suffer myself to be, or to be called the Lord of those any where, who deny Thee the Lord. Nor is this any Wonder: For the Popish Divines endeavour'd to persuade the King of Spain, that the Inquisition was the only Security of their Kingdom. Thus *Leonardus Vellius*, a Divine of the Jesuits College at Cremona, testifies in his Letter to *Cæsar Cærenus*, prefixed to his Treatise of the Office of the most holy Inquisition; where he says: Since the Kings of Spain came to that Government, which now almost extends over the World, we read of no Sect professing it self an Enemy to the Pope, and the Catholick Religion, which did not at the same Time declare War against them. So that the Catholick Kings, and the Catholick Religion, have one common Interest and Cause. And if Pope Paul V. used to acknowledge, that by Means of the Inquisition, the Pontiffs preserved their Triple Crown; I doubt not but that the wisest Kings have been taught by long Experience, that the Hereticks are dangerous Enemies to the Austrian Power, and are abundantly persuaded, that the Sceptre and Kingdom can only be supported by the Ministers of that sacred Office. No one can wonder, that, under this

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Persuasion the *Spanish* Kings have been violent Promoters of the Inquisition; and that they have inflicted the most cruel Punishments upon the miserable Hereticks. *Philip II.* not only in the *Low Countries*, but also in *Spain*, shew'd himself the Patron of it; and that the most outrageous Cruelty was acceptable to him. He gave some horrid Specimens of it, in the Year 1559, in two Cities of *Spain*, when he came thither from the *Low Countries*: "Immediately on his Arrival, as *Thuanus* relates, he began to chastise the Sectaries. And whereas before this, one or more, just as it happen'd, were deliver'd to the Executioner, after Condemnation for Heresy, all that were condemned throughout the whole Kingdom, were kept against his coming, and carried together to *Sevilla* and *Valadolid*, where they were brought forth in publick Pomp to their Punishment. The first Act of Faith was at *Sevilla*, the 8th of the Calends of *October*; in which *John Pontius* of *Leon*, Son of *Roderick Pontius*, Earl of *Killalan*, was led before the others, as in Triumph, and burnt for an obstinate heretical *Lutheran*. *John Consalvus*, a Preacher, as he had been his Companion in Life, was forced to bear him Company in his Death; after whom followed *Isabella Vania*, *St. Maria Kirocsa*, *Cornelia*, and *Bohemida*; a Spectacle full of Pity and Indignation, which was increased, because *Roburquo*, the youngest of all of them, being scarce twenty, suffer'd Death with the greatest Constancy. And because the heretical Assemblies had pray'd in the Church of *Merced*, it was concluded in his Sentence, and order'd, to be scolded with the Sound. After these came forth *Ferdinand a Fano*, *Julian Ferdinand*, commonly called the Little, from his small stature, and *John* of *Leon*, who had been a Shoemaker at *Merced* in *New Spain*, and was afterwards admitted into the College of *St. Isidore*, in which his Companions studied, as they boasted, the *superior Doctrine* privately. Their Number was increased by *Francesca Chaves*, a Nun of the Convent of *St. Elizabeth*, who had been instructed by *John Egidius*, a Preacher at *Seville*, and suffer'd Death with great Constancy. From the same School came out *Christopher Lofada*, a Physician, and *Christopher Arellianus*, a Monk of *St. Isidore*; and *Garcia Arias*, who first kindled those Sparks of the same Religion amongst the Friars of *St. Isidore*, by his constant Admonitions and Sermons, by which the great Fire was afterwards set on Fire, and the Convent itself, and good Part of that most opulent City, was almost consumed. He was a Man of uncommon Learning, but of an incon-

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"Hant wavering Temper; and, being exceeding subtil in disputing, he
 "refused the very Doctrines he had persuaded his Followers to receive,
 "though he brought them into Danger on that Account from the Inqui-
 "sitors. Having by these Arts exposed many, whom he had deceived,
 "to evident Hazard, and render'd himself guilty of the detestable Crime
 "of Breach of Faith, he was admonished by *John Egidius*, *Constantine*
 "*Pontius*, and *Varguius*, that he had not dealt sincerely with his
 "Friends, and those who were in the same Sentiments with himself: To
 "which he replied, That he foresaw that, in a little Time, they would
 "be forced to behold the Bulls brought forth for a lofty Spectacle; mean-
 "ing thereby the Theatre of the Inquisitors. *Constantine* answer'd;
 "You, if it please God, shall not behold the Games from on high, but
 "be your self amongst the Combatants. Nor was *Constantine* deceived in
 "his Prediction: For afterwards *Arias* was called on; and whether
 "Age had made him bolder, or whether by a sudden Alteration his Ti-
 "morousness changed into Courage, he severely rebuked the Assissors of
 "the Inquisitory Tribunal, affirming they were more fit for the vile Of-
 "fice of Mule-Keepers, than impudently to take upon themselves to judge
 "concerning the Faith, which they were scandalously ignorant of. He
 "farther declared, That he bitterly repented, that he had knowingly and
 "willingly opposed, in their Presence, that Truth he now maintained,
 "against the pious Defenders of it, and that from his Soul he should re-
 "pent of it whilst he lived. So at last, being led in Triumph, he was
 "burnt alive, and confirmed *Constantine's* Prophecy. There remained
 "*Egidius* and *Constantine*, who closed the Scene, but Death prevented
 "their being alive at the Shew. *Egidius*, having been designed by the
 "Emperor, *Phillip's* Father, for Bishop of *Drossen*, upon the Fame of
 "his Piety and Learning, being summoned, publicly recanted his Er-
 "ror, wrought on either by Craft, or the Persuasion of *Satus*, a *Domi-*
 "*nican*; and hereupon was suspended for a while from preaching, and
 "the sacred Office, and died some Time before this Act. The Inquisi-
 "tors thought he had been too gently dealt with, and therefore proceed-
 "ed against his Body, and condemned him to Death, and placed his
 "Effigies in Straw on high for a Spectacle. *Constantine*, who had been
 "a long while the Emperor's Confessor, and had always accompanied
 "him in his Retirement, after his Abdication from his Empire and King-
 "doms, and was present with him at his Death, was brought before this
 "Tribunal, and died a little before the Act, in a nasty Prison. But, that

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“ the Theatre might not want him, his Effigies was carried about in a
 “ preaching Posture. And thus this Shew, terrible in it self, which
 “ drew Tears from most who were present, when these Images were
 “ brought on the Scene, excited Laughter in many, and at length Indig-
 “ nation. They proceeded with the same Severity the following Octo-
 “ ber, at Valladolid, against others condemned for the same Crime;
 “ where King Philip himself being present, twenty eight of the chief
 “ Nobility of the Country were tied to Stakes and burnt. *Don Bartholomew*
Cardana, Archbishop of *Toledo*, was also accused; who, for his Learn-
 ing, Probity of Life, and most holy Conversation, was highly worthy
 of that Dignity, and cast into Prison, and stripp’d of all his large Re-
 venues. His Cause was brought before *Pius V.* at Rome, and *Gregory*
XIII. pronounced Sentence in it.

Philip, not content to exercise his Cruelty by Land, established the
 Inquisition also in the Ships. For, in the Year 1571, a large Fleet was
 drawn together, under the Command of *John of Austria*, and mann’d
 with Soldiers lifted up of various Nations, by King *Philip*, to prevent any
 Corruption of the Faith, by such a Mixture of various Nations and Reli-
 gions, after having consulted Pope *Pius V.* deputed one of the Inquisi-
 tors of Spain, fixed on by the Inquisitor-General, to discharge the Office
 of Inquisitor; giving him Power to preside in all Tribunals, and to cele-
 brate Acts of Faith, in all Places and Cities they sailed to. This Erection
 of the Inquisition by Sea, *Pius V.* confirmed, by a Bull sent to the Ge-
 neral Inquisitor of Spain, beginning, *Our late most dear Son in Christ.*
Jerome Manrique exercised the Jurisdiction granted him, and held a
 publick Act of Faith in the City of *Malina*, in which many underwent
 divers Punishments.



The one can be thus help
 by the appointment of the In-
 quistor-General, from this Time, he is admitted to the Office of the In-
 quisitor-General, because Knowledge and Prudence sometimes supply the
 Defect of Age. This is determined by a general Decree of the Pope, that a
 Person of thirty Years old may be an Apostolick Inquisitor in Spain and

the Theatre might not want him, his Rhetoric was carried about in a preaching Posture. And thus this shew, terrible in it self, which drew Tears from most. **CHAP. VIII.** Of the Ministers and Officers of this Court.

THE Rise, Progress, and Establishment of the Inquisition being thus fully shewn, we are next to pass on to the Ministers, who are employ'd in that Court, the Crimes, or pretended Crimes, which are therein examined and discussed, and the Manner of proceeding before the Inquisitors. This we shall at present do, according as Things stand in Spain, and speak of any Differences there may be between the Order observed by the Holy Tribunal in that Country, and in those other Kingdoms, as shall mention it in as Occasion requires.

In every Province of Spain there ought to be two or three Inquisitors, one Judge of the forfeited Effects, one Executioner, three Notaries, two for Secrecy, and the third for Requisition, one Keeper of the Prison, one Messenger, one Door-keeper, and one Physician. Besides these, Assessor, skilful Counsellors, Familiars, and others are necessary, and there is also a Promoter Fiscal, Receiver of the forfeited Effects, and finally, Visitors of the Inquisition, who in their Order, giving notice of Inquisition, give Acts of Faith, in all Places and Cities they visit to the General Inquisition by sea.

OF THE INQUISITORS. In the Church of Rome there are two sorts of Judges in the Affair of the Faith: The Ordinaries, such as the Pope, and Bishops of Places, who, when ordained or consecrated, are believed to receive, by divine Right, Power, and Jurisdiction over Hereticks: And Delegates, to whom the Office of judging Hereticks is particularly given by the Pope; who are called Inquisitors by the Laws. Apostolick Inquisitors are therefore Judges delegated by the Pope, who is believed to be the supreme Judge of the Faith, who grants them full Jurisdiction against all Hereticks and Apostates; and they are so called for all Causes.

No one can be thus deputed to the Office who is not forty Years old. We ordain, by the Approbation of the Holy Council, that no Person under forty Years old shall, from this Time, be admitted to the Office of the Inquisition. But, because Knowledge and Prudence sometimes supply the Defect of Age, 'tis determined, by a general Decree of the Pope, that a Person of thirty Years old may be an Apostolick Inquisitor in Spain and

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Portugal. 'Tis also the Custom to chuse Inquisitors for Cities, not out of the Citizens, but from Foreigners.

These Inquisitors receive Power to execute this Office from the Pope, who sometimes immediately appoints them by Word of Mouth, sometimes by his Apostolick Letters. In *Spain* the President of the Inquisition appoints the Inquisitors.

The Popes were greatly desirous that this Office should be free from all Obstruction; and therefore, as one very obvious Difficulty might arise from the Prelates of the several Religions, if such as were created regular Inquisitors should be forced to obey their Prelates in their Office, therefore the Popes exempted them, as to this Affair, from their Jurisdiction, as appears from a Bull of *Clement IV.* So that in the Office of the Inquisition they are by no means subject to their Superiors, but only to the Pope; inasmuch, that if an Inquisitor should unjustly prosecute any one for Heresy, the Person apprehended can't appeal to the Superior of that Religion, but only to the Pope. Nor is the Inquisitor, in any manner, bound to obey the Superior of his Religion, interrogating him on any Affairs relating to his Office, but the Pope alone, whom he immediately represents.

In *Spain* 'tis found by Experience, that 'tis much more useful and proper, that the Inquisitors should be Laymen, and not Divines.

In like manner the Popes order'd, that in Favour of the Faith the Office of the Inquisitors should be perpetual; so that it was not to cease at the Death of the Pope who conferred it, although the Jurisdiction delegated to them might not have been made use of. For this Reason, the Office of particular Inquisitors continues in *Spain*, after the Death of the Inquisitor-General, although they should be delegated by him; and the rather, because they are chosen under this Form: *We constitute you our Viceregents, till we shall specially recall the Commission.* In which Case, the Jurisdiction of the delegate Judge continues after the Demise of him who deputed him.

This Office is accounted of so great Dignity in the Church of *Rome*, that the Title of *most Reverend* is given to the Inquisitors equally as to Bishops; and, because they are delegated by the Pope to their Jurisdiction, they are advanced to the principal Part of the Episcopal Office, and are therefore thought to deserve the Honour of an equal Title of Dignity with the Bishops themselves. From whence also they infer, that the Inquisitors ought to take Place of the Vicar-General of the Bishop, not only in Causes of Heresy, but in other Acts and Causes that do not belong to the Holy Office.

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In Spain oftentimes several Inquisitors are deputed together; and whenever this happens, they take Care not to create two who are akin, in the same Province, nor suffer them to have any Official for their Servant, or of their Household.

“ If any Thing hard or difficult happens in any Province, the Inquisitors must refer it to the Council.

“ The Inquisitors sit on their Tribunal six Hours every Day; and if any Thing comes before them that belongs to the Inquisitors of another Province, they refer it to them, and the Messengers are to be paid the Expences of the Journey by the Inquisitors to whom they are sent.

“ Farther, the Inquisitors are diligently to read those Books in which the Testimonies against Heretics are contained, that, from hence, they may know the Names and Offences of the guilty Persons, and understand distinctly their several Crimes. And of this Matter the Visitors are particularly to enquire, and report it to the Inquisitor-General, if the Inquisitors should happen to be negligent herein.

“ The Inquisitors must take special Care to agree with, and be friendly to each other. If any Difference should arise among them, they must conceal it, and refer it to the Inquisitor-General, that, after he understands the Matter, he may compromise it, and judge between them.”

The Office of the Inquisitor ceases upon his Advancement to any Dignity. If the Inquisitor, for Instance, is made a Bishop, these Dignities are incompatible, because both require personal Residence, and therefore the Office of the Inquisitor ceases.

If the Inquisitors are negligent or remiss in their Office, the Synod of Sinigaglia, held Anno 1423, hath decreed, That they shall hereby incur the Penalty of Suspension from entering into the Church for the Space of four Years. The same Synod commands, *That in Provincial or Synodical Councils, a proper Remedy shall be provided, besides the afore-mentioned Penalty, against such negligent Persons, according to the Degree of such Fault or Negligence, all Privileges, Exemptions, Customs, and Statutes whatsoever to the contrary notwithstanding.* But I am persuaded that few offend against this Decree, or incur the Penalty of Suspension by Negligence or Lenity; since all Compassion is banished from this Tribunal; and since all who are promoted to this Office of Inquisitor immediately divest themselves, I will not say of all Pity only, but even of Humanity itself.

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If the Inquisitors offend, by unjustly extorting Money, it was anciently provided, that they should be punished by the Prelates of their Order: *Which said Prelates are bound to remove from their Offices such Inquisitors and Commissaries as are found guilty; and, when removed, otherwise to punish and correct them, according to their Desert.* But now as the Prelates of the several Orders neither appoint or remove Inquisitors, so neither do they punish them; but the Affair is referred to the Cardinals Inquisitors General in Christendom. In *Spain* the President of the Inquisition, whom they call Inquisitor Major, punishes the delinquent Inquisitors, which was expressly granted him by a Bull of *Leo X.* But However, notwithstanding this, the Pope can, as often as he pleases, call, cite, and punish the Inquisitors of all Kingdoms at the Court of *Rome*; for he is the Judge of All, and the Inquisitors are delegated by him, and because it appertains to him to take Cognizance of their Causes, and punish their Offences. And if any others take Cognizance of these Affairs, they do it by a Power derived from the Pope, which he can resume as often as he thinks fit, and bring the whole Affair before himself.

When any Inquisitor is to be punished for his Offence, they take Care not to lessen Men's Opinion of the Dignity and Authority of the Holy Office by his Condemnation or Punishment, which, they say, is more dangerous than to suffer an Offender to go unpunished; unless it be such an Offence as gives Scandal, and therefore must not be passed over with Impunity. And they alledge this Reason: That the Apostolick Inquisitors are both dreaded and hated by many, and especially by wicked Men; and therefore, if they should be easily or publicly punished, the foolish and mad People would soon be drawn, by their Crimes, to hate and dishonour the Holy Office. So that when there is a Necessity to punish the Inquisitors, it must be done with Caution, to prevent greater Inconveniences.

However, from these Laws, it is very plain, that the Tribunal of the Inquisition is not so very holy and blameless, as they would have them believe, in *Spain* and *Portugal*; but the Inquisitors punish innocent Men sometimes very unjustly, throwing them into Prison, and treating them in a very barbarous and unworthy Manner. Of this we have a fresh Instance in the Inquisition at *Goa*, in relation to Father *Ephraim*, a *Capucine*, whom, out of mere Hatred and Revenge, they seized, by Craft and Subtlety, and carried away to *Goa*, and there shut him up in the Prison of the Inquisition. The Story is this: Father *Ephraim*, having had an Invitation from some *English* Merchants, built a Church in the City

of

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of *Madrespatan*, which was near to the City of *St. Thomas*. To this Place several of the *Portuguese* came from *St. Thomas's* to have the Benefit of *Ephraim's* Instruction. By this he incurred the Hatred of the *Portuguese*; and, upon some Disturbance that was raised, Father *Ephraim* was called to *St. Thomas* to appease it, where he was seized by the Officers of the Inquisition, and carried to *Goa*, bound Hands and Feet, and at Night, coming from on board the Ship, hurried into the Prison of the Inquisition. All Men wondered that this *Capucine* should be brought Prisoner before the Tribunal of the Inquisition as an Heretick, who was known to be a Person of great Probity and Zeal for the *Roman Religion*. Many were concerned for his Delivery; and especially *Friar Zenon* of the same Order, who tried every Method to effect it. When the News of his Imprisonment came to *Europe*, Persons were very differently affected. His Brother, the Lord *Chateau des Bois*, solicited the *Portugal* Ambassador at *Paris*, till he prevailed with him to send Letters to his *Portuguese* Majesty, to desire his peremptory Orders to the Inquisitors at *Goa* to dismiss *Ephraim* from his Prison. The Pope also himself sent Letters to *Goa*, commanding him to be set free, under the Penalty of Excommunication. The King also of *Golconda*, who had a Friendship for him, because he had given him some Knowledge of the Mathematics, commanded the City of *St. Thomas* to be besieged, and to be put to Fire and Sword, unless *Ephraim* was immediately restored to his Liberty. The Inquisitors, not being able to surmount all these Difficulties, sent him Word that the Prison Gates were open, and that he might have his Liberty when he pleased. But he would not leave his Jail, till he was brought out by a solemn Procession of the Ecclesiasticks of *Goa*. And altho' there are many Instances of the like Injustice, yet they very seldom publicly punished the Injustice and Cruelty of the Inquisitors: lest their Authority, which they would have always accounted sacred, should be contemned.

However, from these Laws, it is very plain, that the Tribunal of the Inquisition is not a Tribunal of the Law, but a Tribunal of the Faith.

Of the VICARS and ASSISTANTS of the INQUISITION.

When the Inquisition was first appointed and delegated, there were no Cardinals Inquisitors General over Christendom, whom they could consult by Letter, and from whom receive an Answer in Cases of Difficulty, after their having first advised with the Pope. And therefore particular Inquisitors were often forced to go to *Rome*, during whose Absence the Affairs of the Faith were at a Stand. To prevent this Inconvenience, the Inquisitor may, in such a Case, appoint a Vicar-General over the whole Province,

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vince, with a Power of proceeding to the definitive Sentences of the Impenitent and Relapsed. *Urban IV.* in order to remove this Difficulty, *A. D.* 1263, created, by a Rescript, the Cardinal of *St. Nicholas in carcere Tulliano*, Inquisitor-General, or, as it were, Protector of the Inquisitors, whom particular Inquisitors might consult, either in Person, or by proposing their Doubts to him by Letters. But now all these Inconveniences are over, since the Appointment of the Cardinals Inquisitors General over Christendom, whom they may consult by Letters, and to whom all Princes are subject in this Affair. This is plain, from the Bull of *Pius V.* published 1566. In *Spain* the Inquisitors of particular Cities consult the Inquisitor-General of those Kingdoms, or President of the Inquisition; and he, with those of other Provinces, advises with the Cardinals Inquisitors General. This, however, now the constant daily Practice of all Inquisitors to have their Vicars General, who, in their Absence, may manage the Affairs of the Inquisition. These are ordinarily appointed by the Inquisitors themselves; for the Inquisitor hath Power of constituting his Vicar or Commissary, by the Bull of *Clement VII.*

This Power doth not extend only to the appointing one or two Vicars, but several, if the Diocese or Province be large, and contains several Cities; for, as the Inquisitor cannot be personally present at all of them, 'tis necessary he should appoint Commissaries in them. He must create, at least, in every City one, a Man prudent and learned, an old Christian, pious, and fit for Business; a religious Person of his own, or some other Order, or a Secular Clergyman, viz. one possessed of some Preferment in the principal Church of that City; or a Canonist, whom he verily believes will take Care of the Matters of the Faith diligently; and according to the Canonical Sanctions.

This Vicar-General may be constituted with such full Powers by the Inquisitor, as to be able to receive Denunciations, Informations, or Accusations, from and against any Persons whatsoever; and of proceeding, and of citing, arresting, and putting in Irons as well the Witnesses as the Guilty; of receiving their Confessions or Depositions, and of proving them; of examining and compelling to give Evidence, and of putting to the Question and Torture to force the Truth from them; jointly with the Lord Bishop or his Vicar; also of imprisoning them by way of Punishment rather than Safety; of calling together and advising with skilful Men at his Pleasure; and, in general, of doing every Thing, which the Inquisitor himself, if present, could do. Only the Inquisitor usually re-

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serves to himself the definitive Sentence of all Impenitents and Relapsed, although he may also commit even this to his Vicar. But the Power of pronouncing definitive Sentences is very seldom given to the Commissary or Vicar, without first consulting the Inquisitor, who, in Decency, is bound to defend the Processes of his Commissaries. He cannot, however, grant such Commissary a Power of substituting a Vicar for himself. Sometimes they appoint two Commissaries, who shall equally and jointly proceed against the Guilty.

The Inquisitor only can depose the Vicar thus appointed by himself; and 'tis not in the Power of the Prelates of the Religious.

Sometimes the Pope himself appoints the Commissary; so that there are two sorts of Commissaries, some appointed by the Inquisitor, others by the Pope. Their Power is unequal. The Commissary appointed by the Inquisitor, neither takes Place of the Ordinary, nor possesses all the other Privileges which the Inquisitor doth; whereas he who is particularly appointed by the Papal Authority, is, in all Things, equal to the Inquisitor himself.

If the Inquisitor needs an Assistant in his Office, the Priors of the Orders are commanded, by a Bull of *Clement IV.* that, to remove all Difficulty, they shall take Care to assign to the several Friars chosen for Inquisitors, their several Assistants, viz. Friars of their Order, careful and discreet Persons, fit for the said Business, and who are worthy to be joined with those whom they are to assist. And, as often as the Inquisitors shall desire it, let them provide others of the same Order, besides those already provided. *Gregory XI.* by a Bull, gives the Inquisitors free Power of going to the Court of *Rome*, and abiding there, and of taking an Assistant without the Licence of his Order, and of changing such an Assistant, and of taking another out of his Province, and of keeping him with him as often as he shall judge fit.

Of Assessors and Counsellors necessary to the Office of the INQUISITION.

The Inquisitors were originally religious Friars, skilful only in Divinity, but ignorant of the Laws; and therefore, because they might be easily deceived in a judiciary Process, and so absolve such as should be condemned, and condemn such as should be absolved, they were commanded to call in skilful Persons, such as Divines, Canonists, and Laymen, to consult them; and, if there was Need, to compel them to give their Advice in

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in Virtue of their Obedience; but I do not find that their Number is precisely determined by any certain Law. *Carena* says, that, in the Congregation at *Cremona*, there are present four Regular Divines, four Secular Clergymen, Canonists, and four Lay Counsellors; and, because the Inquisitor there is always a Master in Divinity, they don't need so many other Qualificators as the Inquisitors of *Spain* do, who are Laymen.

'Tis to be wonder'd at, that the Office of making Inquisition against Hereticks, and of judging them, should be committed to Persons entirely ignorant of the Law: But, if we consider the modern Inquisitors, and compare them with the more ancient ones, and judge of their Ignorance by what we find of the Ignorance of the other, it must be owned that they know nothing either of Law, or of Divinity, or of any Theological Points. And therefore, as the Inquisitors are thus ignorant themselves, they greatly want the Advice, not only of Persons skilful in both Laws, or, as they call them, of Canonists and Laymen, but of Divines also. They are generally called ASSESSORS and COUNSELLORS.

They have their distinct Parts. They are not all indifferently consulted in all Affairs, but each of them as to those which they are presumed to understand. The Divines are called in to examine Propositions, and explain their Quality: The Laymen are consulted about the Punishment or Absolution of Offenders, and other Merits of Causes. The Inquisitors generally consult and deliberate with these skilful Persons together, and not apart, as is provided in certain Letters of the *Spanish* Council.

When therefore any Question happens in the Cognizance of the Causes of Heresy at the Tribunal of the Faith, relating to the Quality of Propositions, spoken by Hereticks, or Persons suspected of Heresy, the Decision of that Affair belongs to the Divines, from whence they are called *Qualificators*. *Simancas* distinctly describes to us their Office.

"The Answers of the Divines, containing the Quality of Propositions, are to be inserted in the Acts of the judiciary Process, subscribed by them, equally with the Sayings and Witnesses of Persons skilful in other Matters.

"A Proposition is either heretical, viz. when it is contrary to Scripture, or the Church, or the Decrees of a general Council, rightly assembled, as to Matters of Faith, or the Determination of the Apostolick See, or the common Opinion of the Doctors of the Church.

"Or it favours of Heresy, when it hath an heretical Sense, in the most obvious Signification, and first View of the Words, although, if piously understood, it may bear a Catholick Sense. As, for Instance, this

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" Proposition: 'Tis ridiculous to carry the Sacrament of the Eucharist
 " in a solemn Procession through the publick Streets. For this Propo-
 " sition manifestly favours of the Heresy of the Lutherans, and Sacra-
 " mentaries. *has stolne out of our Law, and is not to be received*

" Or it is erroneous, when any Thing is asserted against a Truth not
 " plainly determined by the Church; or against a Catholick Verity, not
 " known to all; or, at least, not to him who pronounced the erroneous
 " Proposition. But as to this Proposition, the Doctors greatly differ.

" Or it sounds ill, and offends pious Ears, viz. such as give Scandal
 " and Occasion of Ruin to pious Hearers or Readers. When any are
 " offended at such Propositions, the Assertor of them is forced, by the In-
 " quiritors, publickly to declare their true Sense, that so the Scandal gi-
 " ven may cease: But, if such a Person be otherwise suspected, he is to
 " be called and interrogated by the Judges; and, if he gives a probable
 " Sense of the Words, he is not to be compelled to a publick Explana-
 " tion, provided no one hath been scandalized. He is, however, to be
 " admonished not to speak such Things again for the future.

" Or it is rash, viz. when attested without any grave Authority or
 " just Reason, insolently and boldly, contrary to Ecclesiastical Modesty.
 " As if any one should say, *The Day of Judgment will be within a Month*.
 " Sometimes, however, such Propositions are not accounted rash, when
 " they are modestly asserted, or have some Probability, or pious Ten-
 " dency to edify the Hearers or Readers. Of this sort are many Things,
 " which Men, given to Meditation, may probably imagine to have been
 " done.

" Or it is scandalous, in which the Scandal may be observed, though
 " otherwise not heretical. As if any one should reckon up the Inconve-
 " niences of holy Confession, or tell the Abuses of the Church of Rome
 " before the common People; or if any one should say, *That an evil*
 " *Prelate is truly a Thief and a Robber; The Universities and Colleges are*
 " *introduced by human Vanity; Pulse and Fish blow up the Bellie, and in-*
 " *cline Men to Venery.*

" Or it is schismatical, when tending to introduce Division into the
 " Church. Or seditious, when it becomes the Cause or Occasion of Se-
 " dition in the Church. Or blasphemous, when it is abusive to God and
 " his Saints. Or favouring Hereticks, when it any ways favours the Per-
 " sons or Errors of Hereticks. This for Instance, *Hereticks are not to*
 " *be punished.* Or it is injurious, when it detracts from, or is injurious
 " to, the State of any one of the Faithful. *Some illustrious Person or Dig-*

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"nity. Such are those Things which mad and impious Men blab out against the Cardinals and Monks.

"The same Proposition may also have several Qualities. It may be erroneous, and heretical, and schismatical, and seditious, rash, and injurious, and thus have one, two, or more Qualities.

"Although doubtful Questions concerning the Faith are to be determined by the chief Pontiff, or a general Council; yet, as a doctrinal Matter, 'tis usual for learned and prudent Men to explain and determine what Proposition hath this or the other Quality. And this properly is the Business of the Divines. However, sometimes the Laymen can easily determine such Matters, from the Decrees of the Popes, Councils, and holy Fathers.

"And whereas many who can't deny that they uttered such Propositions, yet will endeavour to interpret them, as to prevent their being criminal, therefore there must be careful Observation made as to the Nature of such Interpretations. If they are just and probable, and do wholly, or for the most Part, clear them of the Crimes objected to them, they are to be admitted. But if they are absurd, incredible, or unlikely, and don't agree with what goes before, or comes after, nor with the Nature of just speaking, nor with the Circumstances of Persons, Times, and Places, they are to be rejected; especially when, under the Pretence of an Interpretation, the true Sense of a Proposition is destroyed and corrupted.

However, the Inquisitors are not bound necessarily to follow the Advice of the Counsellors; but, after they have heard their Opinion, they are free to determine what they think proper, though contrary to, or different from the others Advice; because their Votes are not decisive, but only by way of Advice.

However, it is a received Custom amongst the Inquisitors, never to tell the Names of the Witnesses to the Counsellors, tho' it be owned to be the Duty of the Inquisitor to remark the Qualities of the Witnesses, as whether they be religious, illiberal, grave, and approved; or whether less approved, common Persons, poor, young, unskilful, and the like; that their Qualities being thus known, the Council may more easily and wisely determine what Credit is to be given to what they severally say, and what not. If there be Reason to fear that the Witnesses are Enemies to the Criminal, the Inquisitors may, in such a Case, declare the Names both of the Witnesses and Criminals; because possibly the Counsellors may know their Names, and whether they are, or have been Enemies. But, to prevent any rash Publication of this Matter,

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Matter, they may bind them by Oath, or under the Sentence of Excommunication, to keep it a Secret; because Secrecy, as they say, is the principal Nerve of the Causes of the Holy Office. The Counsellors also generally swear that they will keep Secrecy, and not reveal the Affairs treated of in the Congregation, under the Penalty of Excommunication, to be *ipso facto* incurred, from which they cannot be absolved, but by the Cardinals, supreme Inquisitors.

If Bishops or Inquisitors discover the Secrets of the Holy Office, they would, indeed, incur no Censure, but be guilty of mortal Sin; unless they also should have taken an Oath of Secrecy in the Congregation of their Counsellors, according as the Congregation of the Cardinals, supreme Inquisitors, hath decreed they ought to do; for they also take themselves the like Oath of Secrecy.

Although these Counsellors or Assessors of the Holy Office may lawfully be chosen by the Inquisitors, and are, in fact, deputed by them in several Cities; as at *Pavia*, and the other Cities of that Territory; yet at *Cremona* and *Milan*, the Counsellors, Advocate Fiscal, and Chancellor, are chosen by the Cardinals Inquisitors General, at the Nomination of the Inquisitors: So that these Counsellors depend on that Congregation, and cannot be removed but by it; because the Act is his who confirms it.

When the Merits of the Process are proposed, the Counsellor first examines, whether the Intention of the Fiscal is fully proved, and how. Then he considers, whether the Intention of the Fiscal is drawn from the Proofs and Exceptions of the Matter; and, after having considered these Things, he gives his Vote.

Of the PROMOTOR FISCAL.

They usually call that Official of the Inquisition the **PROMOTOR FISCAL**, who acts the Part of the Accuser. He must be an honest, diligent, and industrious Person, skilful in the Law. He is prohibited from exercising this Fiscal Office, in the Province where he was born, that he may not be thought to act out of Favour or Hatred.

It belongs to this Office to examine the Depositions of the Witnesses, to give Information of Criminals to the Inquisitors, or Notice of them to the Judges, and to demand their Apprehension and Imprisonment; and finally, when apprehended and admonished to accuse them. In the Holy Office in *Spain*, the Fiscals do not form their Accusation against the

the Criminal, till the Way is clear for the Inquisitors to proceed against him. And although the Criminals, upon Admonition, should confess all their Heresies, yet the Promotor Fiscal must accuse them of the same Things, that Judgment may be formed from the Accuser, Criminal, and Judge. The Charge is to be drawn up and presented to the Judges by the Promotor, to which he is to add an Oath, that none of the Heads of it proceed from a malicious Design; but only that he may the better prosecute his Suit, and that he intends to prove them all.

If the Judges shall allow any Time to receive the Proofs, he must produce the Witnesses against the Criminal, and demand their Examination, and that their Depositions be allowed and published. If, after this, other Witnesses shall appear to prove other Heresies, this also shall be added to the Accusation, and the Promotor Fiscal shall accuse the Criminal of these. He must also take particular Care to observe all the Confessions, Sayings, and Answers, of the Criminals, that he may be able to gather what relates particularly to their Case, and what to other Heretics. And when the Depositions of the Witnesses are written down and allowed, and when the Judges and Counsellors debate about the Sentence to be passed, the Promotor Fiscal must be absent: But he may be present when the Process of the Cause is reported, and, from Fact or Law, allege what he thinks convenient. He is present at the Examination of the Witnesses, by way of Defence, and at the Rehearing of the Witnesses, and must be present in the Congregations when they vote in the Cause, and always at the Torture, together with the Inquisitor, who sits between the Vicar-General on the Right, and the Advocate Fiscal on the Left.

Besides this, in *Spain* they chuse a Person for Procurator General of the Holy Inquisition there, that he may manage the Affair of this most Holy Office at the Court of *Rome*, who is to have a proper Salary paid him out of the forfeited Effects. Into this Office a skilful and honest Man must be chosen.

Of the NOTARIES of the INQUISITION.

The Office of the Registers, whom they also call Notaries and Secretaries, is to write down the Injunctions, Accusations, and all the Pleadings of the Causes. The Judge ought not only to take Care that the Notary writes down the Depositions of the Witnesses, or the Answers of the Criminals, but also that he diligently explains, and particularly remarks, during the Process, the several Circumstances relating to the Witnesses,

ness, the Informer, and the Person against whom Inquisition is made, viz. Whether the Colour of his Face changes; whether he trembles or hesitates in speaking; whether he frequently endeavours to interrupt the Interrogatories, by hawking or spitting; or whether his Voice trembles, and the like. All these Circumstances the Judge ought to take Care to have particularly specified in the Process, that it may not be said, that the Person enquired against is put to the Torture without Proofs.

Whatsoever the Notary writes down from the Mouth of the Criminals, or Witnesses, must be in the same Language in which the Witness or Criminal speaks, without altering, adding, diminishing, transposing, or inverting any of the Words. If the Criminal or Witness doth not understand *Latin*, and if the Notary or Inquisitor doth not understand the Language of the one or the other, the Inquisitor must have a skilful Interpreter; for it may happen that a *Frenchman*, a *Spaniard*, an *Englishman*, or a *German*, may be examin'd before an *Italian* Inquisitor. The Depositions of the Witnesses, and the Confessions of the Criminals, are to be written down by the Notaries, in the same Words in which they are delivered. And when there are several Witnesses, 'tis not sufficient that the Notary, when he hath particularly wrote down the Depositions of the first Witness, says, that the second or third says entirely the same as the first; but he must write down the particular Words of the several Witnesses, because oftentimes the Case before this Tribunal is the Proof of formal Heresy. *Clement VIII.* in a general Congregation of the Inquisition, November 9, 1600, hath particularly commanded the Inquisition not to omit any of the Interrogatories which are made by the Judge, in the Examination of the Witnesses and Criminals, but to write them down at large.

These Notaries are to be chosen of the Laity; but in Causes of Heresy, the Clergy and Monks, and also others in holy Orders, may discharge this Office. And although in *Spain* they usually take them from amongst the Laity; yet *Simancas* says, that possibly it would be better, that they should be chosen from the Clergy, because they would want less than those who have Wives and Children; for the Salary is scarce sufficient for one. They are also obliged to register, in a certain Book, all the Commands of the Inquisitors, given to the Executors and Receivers, against Hereticks, and their Effects; that if any Question should arise concerning these Things, they may be able, from those Registers, to determine it. Besides, they must be content with their Salary, and receive nothing for their writing, except the Notary of the forfeited Effects, who may demand

demand his lawful Dues, because he hath no Salary. They must also travel at their own Expences within their proper Province, to ratify the Depositions of the Witnesses, the Proof of the Defences, and the Exceptions against the Witnesses, as it is contained in a certain Decree of the Council.

In *Spain*, even now, the Inquisitors may, if there be Occasion, create another Notary, and pay him a just Salary, as is provided for by one of the Letters of the Council. If he be sworn to Secrecy, he is obliged to give Security to the Promotor Fiscal, and to the other Parties concerned, and to deliver in a written Account of the Time of Condemnation, and Commission of the Crime; for they will not suffer the whole Process to be shewn, lest Suits should arise from Suits, and the Secrets of the whole Cause should be discovered: For the Consequence of this would be, that the Names of the Witnesses would be known by all, whereby their Safety would be endanger'd, and many Exceptions would be urged against them by Slanderers. Provision was made against these Inconveniences, by a certain Letter of the Inquisitor-General. Farther, all these Notaries must attend the Tribunal of the Inquisitors six Hours every Day. If any one offends in his Office, he is to be punished according to the Nature of his Crime, by a Fine, Suspension of Office, Deprivation, or Banishment, to be moderated at the Pleasure of the Inquisitor-General and Council.

The Writings of the Holy Inquisition are to be kept under three Keys, which are to be in the Hands of the Promotor Fiscal, and Notaries; nor must they be read or shewn to any one, but in the Presence of all. Besides, these written Acts are to be carefully kept in the publick Hall of the Inquisitors, that they may be present, as often as there is Need; nor may the Notaries shew them to any one, nor remove them into another Place; and if they are convicted of doing the contrary, they are to be removed from their Office, without Hope of Pardon. However, the Inquisitors, when required by the Royal Judges, or by those who have any Interest and Concern in the Affair, must command the Notaries to give a Copy of the Papers; but so as that the Secrets of the Office, which must be kept concealed, may not thereby be discovered, according to the Caution given by a Letter of the Council: But a Copy of the Acts, which are usually read in publick, may be given, viz. of the Confessions, Sentences, and other Things of the like Kind, but of nothing more.

These Notaries have their Substitutes, who serve them as Coadjutors in writing, or taking Notes.

As to the Salaries of the Notary, if they are certain, the Inquisitors of the Holy Office usually determine how much they are; if uncertain, they can't exceed the Tax of the supreme Inquisitors.

Of the JUDGE and RECEIVER of the confiscated Effects.

He who is chosen Judge of the confiscated Effects, must be an honest Man, and skilful in the Law; not of Jewish Extract, nor of the Mahomedan, nor of an heretical one, but one who may be capable of discharging the Office of Assessor. His Office is, to judge between the Treasury and private Persons, in Causes relating to the Effects of Hereticks: But he may also take Cognizance between private Persons, when their Cause hath any Connection with the other.

He is generally called in Spain the Receiver, whom in Italy they call the Treasurer of the Holy Office. He receives the confiscated Effects, and, by Command of the King, is Procurator of the Treasury; demands, defends, and sells the confiscated Goods, and pays the Salaries and other Expences of the Holy Office. He must be an honest and wealthy Person, capable of making up and reporting his Accounts, and must give proper Sureties to pay all his Deficiencies. He is to be chosen by the Inquisitors.

It belongs to the Office of the Receiver to be present at the Sequestration of Goods, which can't be done but by the previous Command of the Inquisitors. It must be performed by the Executor, in Presence of the Receiver, and Notary of the Sequestrations, and some other Notary; and all the Goods of the Criminals, which are found in their Possession, or are in the Hands of others, are to be written down severally in a Catalogue or Inventory, two Copies of which are to be made out, each Notary to have one. All the Effects are to be delivered to the Sequestrator, with an Inventory subscribed by the Executor, and the said Sequestrator and the Notaries, one Copy of which is to be kept by the Notary of the Sequestrations. The Sequestrator is to be chosen by the Executor and Receiver, who must be a sufficient Citizen, not of Kin to the Heretick, nor of an evil Race. But when the Process is formed against any Person dead, his Effects must not be delivered to the Sequestrator, but taken an Account of, and sealed up, and left with the Possessors, under good Securities. If any other Person's Effects are with those of the Hereticks, they

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they must be immediately delivered to the Owners. Debts also must be paid out of the Effects delivered in to the Sequestrator, without waiting for the Issue of the whole Cause. Finally, if the Criminal be absolved, all his Effects must be immediately delivered to him. As to perishable Effects, and which may grow worse by keeping, and such also as are too chargeable to keep, viz. Cattle and Slaves, the Receiver must sell them by Command of the Inquisitors, without whose Permission nothing can be done.

When the necessary Expenses are deducted, the Surplus Money, which remains out of the Sale of the Effects, is to be deposited with the Sequestrator, of which the Receiver must touch nothing till the Criminal is condemned. As to other Things which may be kept, they are to be hired out at reasonable Prices by the Receiver and Sequestrator. But these, and other the confiscated Effects, must not be sold but by Auction, and then go to the best Bidder. The same is to be observed as to the Effects which are hired out. In these Sales, the Receiver must use great Fidelity and Diligence, and though he promises after the Rate of Two or Three per Cent. for the Recovery of any Effects, yet, when they are recovered, he must allow only one.

When the Heretic is condemned, the Sequestrator must immediately deliver all the Effects to the Receiver before two Notaries, nor can he receive or sell any Thing but in their Presence. But the Judge of the confiscated Effects may, at the Instance of the Receiver, give Notice by the Criers of the future Action. If any one thinks himself to be concerned in it, he may, when he knows the Effects are to be sold, come to the Judge, and demand his own, and sue for his Right. If no one comes, the immovable Effects are to be sold, and to be put up to Sale by Auction, the thirtieth Day after the publick Notices, and other customary Things of the City, before the Receiver and other Parties concerned.

As to those Effects which are disposed, they must not be sold by the Receiver, till the Suit is finished. As to Effects that are pawned, the Receivers may sell them, not so as to prejudice the Right of the Creditors, but if the Effects amount to more than the Debt, they must be sold, and the former Creditors first paid, and the Remainder carried into the Treasury. However, the Sale of the forfeited Effects is not to be deferred upon Account of Actions, that do not appear to have any just Foundation, but such Effects are to be sold, and such a Sum must be deposited in the Sequestrator's Hands, that is equal to the Value of the Debt sued for, and the Charges of the Suit. Further, if there be any Effects

which are to be in common between the Treasury and others, they must be divided, if it can be done conveniently: If it cannot, and it appears better to sell them entire, and without Division, the Treasury hath the Privilege to order all of them to be sold by the Receiver, although the least Part belongs to it; but must receive no more than its proper Debt, and pay the Remainder to the other Creditors.

The Receivers must omit none of these Things; if they do, they incur the Sentence of Excommunication, and are to be fined an hundred Pieces of Gold, and make good all Losses to the Treasury.

The Receivers of one Province must not seize on the Effects of Hereticks, which belong to other Receivers, but give them certain Notices of such Effects, otherwise they are deprived of their Office, and pay the Loss, and double more.

All the Monies received by the Sequestrator, and the Money that arises from the Sale of the Effects, the Receivers must deposit within three Days after into the Publick Chest, which must be locked up with three Keys, which the Holy Senate hath ordered under Excommunication, and a Fine.

The Receivers of the Treasury can't forgive any Monies to Debtors; and if any are forgiven by them they are reclaimed; nor can they make any Bargain or Composition with them.

Of the EXECUTOR and OFFICIAL of the INQUISITION

The Executor is he who executes the Commands of the Inquisitors. His Office is principally to apprehend and keep in Custody Criminals, whom he is obliged to pursue, if they are at a Distance, and to put in Irons, and to be content with his appointed Salary. But if it be needful for the Familiars to attend him, they must have a Salary appointed by the Inquisitors, to be paid by the Receiver out of the Treasury. And, as he is a mere Executor of a Command, he must carefully keep within his Bounds, and punctually execute the Order of the Judges. These they also call Appraisers and Pursuivants.

Of the FAMILIARS, or ATTENDANTS

The Familiars are the Bailiffs of the Inquisition, which, though a vile Office in all other Criminal Courts, is esteemed so honourable in this of the Inquisition, that there is not a Noblesman in the Kingdom of Portugal

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that is not in it, and such are commonly employ'd by the Inquisitors to apprehend People. Neither is it any Wonder that Persons of the highest Quality desire to be thus employ'd, since the same plenary Indulgence is granted by the Pope to every single Exercise of this Office, as was granted by the Lateran Council to those who succoured the Holy Land.

The Familiars or Attendants are necessary to accompany the Inquisitors, and to defend them, if Need be, from the Insults of Hereticks; and to follow the Executor when going to apprehend Criminals; and to do other Things, which the Judges shall think proper to fulfil the Duty of the Holy Office of the Inquisition. The Familiars are allowed to use Arms, but must not abuse them. Such as are to be chosen, must be good, peaceable, and married Men, as it is provided by a certain Letter of the Council; and no more must be admitted but what the Necessity of the Office requires.

And, because the Familiars have no Salaries, and no one is bound to serve for nothing, 'tis necessary that certain Privileges should be granted them, in which Matter there have been several Alterations by the Royal Commands, they having sometimes had Immunities allowed them, and at other Times been deprived of them, because of their Excesses, and unruly Multitude. At length, by the King's Command, certain of the Royal Council and the Senate of the Holy Inquisition met together, and published a Constitution, by which certain Immunities are granted to the Familiars, their Number fixed, and the Manner prescribed, in which the Differences and Contentions that may arise between the Inquisitors and Royal Judges, upon account of the Familiars, are to be suppressed and determined.

And first as to the Number of Inquisitors; 'tis appointed, that in the City of Toledo there shall be fifty Familiars chosen by the Inquisitors; as many at Seville, and fifty in Granada, and no more; forty in Corduba, Oviedo, and Valladolid; at Calaborre and Merena twenty five; in the City of Murcia thirty; in every Town where there were three thousand Burgeses, six; in all others of five hundred Burgeses, four; in other lesser Towns, two only in each. But in every Sea Port, or Frontier Town, four may be chosen. If more are chosen, they have no Privilege.

By the same Constitution 'tis provided, that in every Province there should be given in to the Consistories of the several Cities, a List of the Familiars, that the Governors and Magistrates may know them, and see that they don't exceed the Number; and that if they are quarrellsome,
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or unworthy their Office, they may report it to the Inquisitor-General and Council; which is also to be done when any one is put into the Room of another Familiar. 'Tis farther appointed, that in all Civil Causes the Familiars shall be cited before the Secular Judges, as much as if they were not Familiars.

But in Criminal Causes the Familiars are exempted from the Jurisdiction of the Secular Judges, and are to be punished by the Inquisitors, except in the Case of Treason, and the Crime against Nature, Rebellion, and open Sedition. Likewise the Familiars are to be punished by Lay Judges, if they offend against Letters of Safety granted by the Prince, if they obstinately oppose the Royal Commands, if they betray and ravish Women, if they are publick Thieves, Breakers open of Churches, Monasteries, or other Houses; or if they set them on fire, or commit any other greater and more heinous Crimes than these; or if they insolently and obstinately contemn the Royal Judges, or if they resist them; or if, being themselves in Secular Offices, they commit any Offence therein.

Farther, the Secular Judges may take up the Familiars for those Crimes, the Cognizance of which belongs to the Inquisitors, but must immediately send them to their proper Judges, with a summary Proof of their Offences, at the Cost of the Criminal Familiar. 'Tis likewise provided, by the same Constitution, that as often as the Familiars offend in any City or Place where no Inquisitors reside, they shall be so often obliged to shew to the Judges of the Place, where the Familiar hath committed his Offence, a Copy of the Sentence pronounced by the Inquisitors against him, with a publick Testimony that he hath satisfied the Sentence pronounced against him for his Crime.

But if any Difference arises between the Inquisitors and Secular Judges, concerning the Cognizance of any Offence committed by a Familiar, the Cause must be referred to the Royal Court, with a summary Proof of the Crime; that upon hearing the Case by two Royal Counsellors, and two others of the Senate of the Holy Inquisition, the Cause may be remitted to those Judges to whom the Cognizance of it shall appear to belong, simply, without Noise and Form of Judgment. And from this Sentence there must be no Appeal. Farther, if these supreme Judges shall disagree to whom to send the Prisoner, and three of them should not be of the same Opinion, the King must be consulted. In the mean while, the Familiar must be kept in Custody by that Judge who took him up; but his Trial must be deferred till he is sent to his proper Judge, to whom, upon a Declaration made, he must be immediately restored, though

though he should happen to have been put in Chains by another Judge. Thus far the Royal Constitution, dated the 10th, and confirmed the 19th of March, 1553.

We read of a famous Case of this Nature, concerning Jurisdiction between the Inquisitors and Secular Judge, in *Nicholas Rodrigues Fermosino*, which is added to his Treatises of Judgments, &c. This *Fermosino* was in the Office of Counsellor of the Treasury, in the Inquisition of *Valladolid*, and created Inquisitor; and, by King *Philip IV.* made Judge of the confiscated Effects of the said Inquisition. The Case was this: The Magistrates of *Valladolid* order'd rough Walls to be built, to prevent Travel-lers coming into the City for Fear of the Plague. *Antonio Moreno*, Governor of the House of Penance in that City, and his Aunt *Mariana de Pareda*, formerly Wife of a certain Secretary of the Inquisition at *Ilerena*, obstructed this Building. And therefore *Jerom Antony de Tordesillas*, Mayor of the City, took both of them out of the House of Penance, Anno 1648, 3^d Calends of *August*, and put them in the common Jail, and laid them in Irons. The Inquisition demanded of him, three times, that he would release the Prisoners, and send them back to the Tribunal of the Inquisition, as their competent Judge, with all the original Acts and Process. The Mayor first said he would restore them, but afterwards declared that he would nor deliver them over, but under this Condition, that the Tribunal should proceed to no other Process. The Inquisition was not satisfy'd with this, and the Affair was greatly contested on both Sides. The Inquisition sent their Orders to the Mayor; and the Mayor, by his Answers, opposed the Orders and Commands of the Inquisition. At last, the Dispute ran so high, that the Inquisition, after a declaratory Injunction, laid him under Excommunication and the Anathema; and, because he continued to exercise every Act of Jurisdiction, they put him under a general local Interdict. But this made no Impression on him, for he answer'd, That the Tribunal of the Inquisition had no Jurisdiction over him; and that, whilst the Dispute was to whom the Cognizance of the Prisoners belonged, their Excommunication could not touch him, especially as he had appealed from all Censures of the Inquisition. At length the Inquisition prepared to publish the Order for Cessation of divine Services: But the Royal Court, to put an End to this troublesome Difference, commanded the Mayor to dismiss his Prisoners; and the Tribunal of the Inquisition, to destroy all the Acts and Process against the Mayor, to grant him Absolution, and remove the Interdict. But the Inquisition was not satisfy'd in this; but, by *Fermosino*, their Fiscal Advocate,

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Advocate, pray'd the King, That the Mayor might be severely punished, adding this Reason, lest a Way should be opened to infinite Contentions and Extortions of the like Nature; especially since the other Judges will, every Day, considering these Things went unpunished, urge many frivolous Reasons for not acknowledging any of the Censures of this Tribunal, in Contempt of Justice.

Of the VISITORS of the INQUISITORS.

As the Offices of the Inquisitors and other Ministers were perpetual, it was necessary, that sometimes they should give an Account of their Behaviour; therefore there was a Magistrate created to visit the Inquisitors, and all the other Ministers, who was called the Visitor. His Office was to visit all the Provinces of the Inquisitors, and report to the Inquisitor-General and Council whatever was proper to be amended. He was strictly to keep to his Instructions, not to be the Guest of those he visited, nor to receive any Thing from them himself, or by others. If one was not sufficient, they might chuse more.

All the Ministers of the Holy Inquisition are obliged to swear before the Inquisitors and Bishop, or his Vicar, that they will faithfully discharge the Trust committed to them. The Inquisitors, Counsellors, and others, also swear, that they will faithfully conceal all Secrets; which, if any one dares to discover, he is to be deprived of his Office, and to suffer other Punishments, according to the Nature of his Crime.

'Tis also part of their Instructions, that the Inquisitors, and all other Ministers, shall serve in their Offices by themselves, and not by their Substitutes; the Ministers are not to absent themselves without Leave of the Inquisitors, which must not extend to above twenty Days. If any one is longer absent, or goes without Leave, he must be deprived of his Salary, his Absence is to be noted, and his Salary not paid by the Receiver, without first inspecting the Book of Defaults, according to several Letters of the Council.

Farther, no one must be a Minister of this Holy Office in any Province where the Inquisitor is either Kin to him, or his Lord. 'Tis also prohibited for any Minister to intermeddle in any Negotiation, either by himself or others. He who contravenes this Order, is to be deprived of his Office, and fined twenty thousand Pieces. He who doth not discover this, is to be excommunicated.

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If any lesser Crime be committed by those Ministers, they may be punished by the Inquisitors. If their Offence be more grievous, it must be reported to the Inquisitor-General and Council, that, if the Case requires it, they may be deprived of their Office. 'Tis also prohibited, by the same Instructions, for any one to be in two Offices, or enjoy two Salaries.

Concerning the Duty or Power of the MAGISTRATE.

The Civil Magistrate hath no Part in this Affair; for he is entirely excluded from all Cognizance of the Crime of Heresy. Thus *Simancas* teaches: "The Cognizance of Heresy solely belongs to the Ecclesiastical Judge, because this is a Crime committed against the Faith and Religion; for as to those Crimes which the Secular Administration knows nothings of, and which are declared such by the Christian Religion, such as Heresy, Schism, and others of the like sort, the Ecclesiastical Judge only hath Cognizance of them. And therefore to whatsoever Branch of the Secular Judgment the Cognizance of such Crimes may at any Time happen, it must be immediately referred to the Ecclesiastical Judges.

"It is more largely forbidden, by the Royal Laws at this Day in *Spain*, that no one of the Secular Judges, of whatsoever Dignity and Power, shall, by any Means, presume to take Cognizance even of those civil or criminal Causes which belong to the Inquisitors, and the Judges of forfeited Effects; no, not under Pretence of relieving Persons oppressed by Violence, which, in other Cases, would be a wholesome and present Remedy to redress the Grievances of the Ecclesiastical Judges. However, if any will appeal in the before-mentioned Causes, they must apply to the Council of the Holy General Inquisition." This Royal Command was dated at *Burgos*, *March 7, 1508*, and renewed 1553.

However, they stand in need of the Arms and Power of the Magistrate, for the Punishment of Hereticks, and that they may execute the Sentences pronounced against them; for 'tis not lawful for Ecclesiastical Persons to kill any one. Therefore they desire to have all Magistrates obedient to their Beck and Commands, and to have no Liberty of Conscience granted by them to Hereticks, but insist on their being ready and prepared to draw their Swords against Hereticks at the Pope's Command. This is the Doctrine of *Maldonet*, explaining the Parable of the Tares sown amongst the Wheat. For, after he hath said that the *Calvinists* and *Lutherans*

heretics are to be cut off, as manifest Hereticks, he adds these Things: Nor that I speak thus, as though I had not rather have them converted than put to Death: All that I intend is to admonish Princes, or, because Princes may not read these Things, those who can advise them, that 'tis not lawful for them to grant Hereticks those Liberties of Conscience, as they are called, too much in Use in our Days, unless, first of all, the Church, or the Roman Pontiff, who is the Head of the Church, the Person of Christ, and, as it were, the Father of the Family, shall judge, that the Tares cannot be plucked up, unless the Wheat also be destroyed, and that 'tis for the Advantage of the Church to permit both to grow together till the Harvest. In this Matter, Princes, who are but the Servants of the Father of the Family, are not to judge, but the Father of the Family himself, i. e. the Governor of the Church. Nor should Princes ask the Father of the Family, that he would suffer both to grow till the Harvest, but whether it be his Pleasure that they should go and pluck up the Tares. They ought to be so affected and prepared, as to need rather to be restrained than incited by the Father of the Family.

But, because there is but seldom such a Readiness in Kings and Princes to extirpate Hereticks, the Ecclesiasticks are incessantly egging them on, till they have prevailed on them to yield to them all Things. Farther, they affirm, that this is the Duty of the Pope and the other Bishops; as we read in Conrad Brunus, in his Book of Hereticks and Schismatics: It belongs to the Duty of the Roman Pontiff, and the other Bishops, diligently to admonish the Emperor, and other Kings and Princes, under whose Government there arise Heresies and Schisms, as often as there is Need; first, that they preserve the true and Catholick Religion and Faith, and observe the Commands of God; and secondly, that they every where suppress and extinguish heretical Impiety, by the Discipline and Rigour of the Secular Power, which the Sacerdotal Office cannot do by their Doctrine and Ecclesiastical Censures. Thus Pope Leo implored the Assistance of the Emperor against Hereticks, in his 55th Letter to the Emperor Martian, and 36th to the Empress Pulcheria, and 23^d to the Emperor Theodosius II. It belongs also to the Care and Concern of the Pope, to take certain good and faithful Men in the Court of every Prince, who may enquire out Hereticks, and every Thing that belongs to the Defence of the Catholick Faith, and the Preservation of Unity; and put the Prince in mind of whatsoever is necessary to Peace, and inform the Pope of all such Transactions whatsoever; as we find it in the 34th and 86th Letters of Leo to Bishop Julian, the 55th to the Emperor Martian, and the 73^d to the Emperor Leo.

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But, not content with this, the Popes, by their Decrees, Bulls, and Rescripts, command all Magistrates whatsoever to yield all Assistance to the Inquisitors, severely threatening them with the most grievous Punishments, if they are wanting to their Duty. All which Things are laid together in the Book concerning the Form of Proceeding against Hereticks, generally ascribed to *John Calderine*.

Of the Privileges of the INQUISITORS.

As we have briefly described the Offices of all the Ministers of the Inquisition, it remains now that we treat more fully and distinctly of the Inquisitors, who are the Chief of all. We will therefore give an Account of their Privileges and Power.

The Privileges of the Inquisitors are many and great, which the Popes of Rome have granted them with a liberal Hand, that they may more chearfully perform their Duty, and vigorously execute the Laws made against Hereticks.

Urban IV. by a Bull, grants the Inquisitors, That no Delegate of the Apostolick See, or Sub-Delegate under him, no Conservator, or Executor deputed by the said Apostolick See, or hereafter to be deputed, shall be able to publish the Sentence of Excommunication, Suspension, or Interdict, against them, or their four Notaries or Writers faithfully obeying them in these Matters, whilst they shall be engaged in the Prosecution of this Affair, without the special Command of the aforesaid See, making full and express Mention of this Indulgence; and he decrees, every Thing done contrary hereto to be null and void. This Privilege is granted them, that the Causes of Religion may not be forsaken or hindered by the Excommunication of the Inquisitors, and other Ministers of the Office, and Hereticks, in the mean while, go unpunished by such Hindrances of their Judges.

He hath granted the same also, by a special Privilege to the Inquisitors of the Orders of *Predicants* and *Minors*, that they may not be hinder'd by their Superiors in the Causes of Faith. If it should so happen, that the Master and Minister General, and other Priors and Ministers Provincial, and Keepers and Guardians of other Places of your Order, shall, under Pretence of certain Privileges, or Indulgences of the same Apostolick See, granted to the said Orders, or hereafter to be granted, enjoin, or, in any manner, command you, or any one or more of you, that you supersede this Affair for a Time, or as to certain Articles, or certain Persons; we, by our Apostolick Authority, do strictly prohibit you, and all and singular of you,

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that ye do not presume in this, or by any Means whatsoever, to obey and submit to them. For we, by the Tenor of these Presents, do revoke all such Privileges or Indulgences, as far as relates to this Article, and do wholly pronounce null and void all Sentences of Excommunication, Interdict, and Suspension, if it shall so happen that they have been pronounced against you, or any of you, upon this Occasion. For if the aforesaid See doth sometimes give Commission, under a certain Form, by its Letters to any Prelates of your Orders, that they shall be able to take certain Friars of their Orders to execute the Office of the Inquisition against heretical Pravity, and to remove them when they think expedient, and to substitute others; yet by this there is no Faculty, Jurisdiction, or Power granted them in this Affair, immediately committed, or to be committed to you by the aforesaid See; because the only Reason why such Commission in such Part is granted them, is, that they are presumed to have a more full Knowledge of the Fitness of the Friars of their own Order.

This also granted to the Inquisitors in Favour of the Faith, that when they cannot, without Loss of Time, and Danger to the Affair, have Recourse to their Superiors, who, in such Places, may lawfully execute Justice, they may require the Temporal Lords, and their Officials, though excommunicated, to afford them their Assistance and Favour, according to their Office, without incurring themselves the Penalty of Excommunication: Though they require such excommunicated Persons, they shall not therefore incur the Sentence of Excommunication. Agreeable to this, although the Acts of Tyrants are in Law void and null; yet, in Favour of the Faith, if a Tyrant, or any other unjust Lord, by Command of the Inquisitors, doth any Thing against Hereticks, it is valid.

The Inquisitors only, and not the Ordinaries, can publish Edicts against Hereticks. Thus lately a certain Edict, published by Command of the Ordinary, during the Time of Lent, was revoked. But we shall speak more of this hereafter. Likewise the Inquisitors only, and no others, can absolve from Excommunication for Heresy contracted, by Virtue of a Jubilee, or Letters of the Apostolick See; and even from the Sentence of Excommunication, which the Pope himself pronounces against them at the Festival of the Sacrament.

The Inquisitors can excommunicate, suspend, and interdict. How grievous this their Excommunication is, shall be related elsewhere. They can also command any Presbyter, with Cure or without, to publish monitory Letters made by him, and denounce, before the People, the Persons excommunicated by them: And, if he refuses to do it, they

may punish such Presbyter, not only with a Censure, but with some other Punishment.

Persons under Excommunication, or Interdict by the Inquisitor, can't be absolved by the Ordinary, or any other Person, without the Command of the Pope, except in the Article of Death.

The Inquisitors may apprehend Hereticks, though they fly to Churches; nor can the Bishops hinder them from this, under any Pretence.

The Inquisitor may prohibit the Secular Judge from proceeding against any Person, upon Account of any Proceses made by the Inquisitor himself, or upon Occasion of any Confession made before such Inquisitor.

Whosoever, by himself or others, shall kill, or beat, or strike any one of the Inquisitors, or Officials of the Holy Office, he is to be delivered over to the Secular Court, without any Charge of Irregularity, according to the Grant of Pope *Leo X.* The aforesaid Grant is now extended to those who damage the Effects of the Inquisitors, or Officials, by the proper Motion of *Pius VI.*

Likewise the Inquisitors receive the entire Fruits of their Benefices, together with the daily Distributions, when absent; as appears in the Letters of *Paul III.* and *Pius V.* which are in the first Volume of the Letters of this Inquisition.

The Pensions reserved by the Apostolick Authority to the Holy Office, are free from the Payment of the fifteenth, as the supreme Congregation of the Holy Office hath declared, for the Inquisitor at *Pavia* against the Chapter of the Metropolitan Church at *Milan.* The Pope hath also often declared, that the Benefices united to the Inquisitions are free from Payment of the Tenth.

They are also free from all real and personal Offices, and even from the Law of the Generality, by a special Royal Privilege, which is also extended to some of the Officials, as is more fully contained in the first Volume.

Lodgings, Provisions, and other Necessaries, are to be provided for the Inquisitors and their Officials at a just Price, according to the Tenor of the Privilege of *Queen Joan.*

The Inquisitors may make Statutes against Hereticks, and encrease the Punishments against them.

They may also carry Witnesses above two Days Journey.

Farther, *Urban IV.* hath granted another Privilege to the Inquisitors, that they may absolve themselves and their Assistance, and dispense with themselves as to their Irregularity. That you may the more freely promote

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the Affair of the Faith, we grant you, by the Authority of these Presents, that if it should happen that you, and the Friars of your Order, your Assistants, should in any Cases, by human Frailty, incur the Sentence of Excommunication and Irregularity, or remember that you have incurred it; since you cannot easily, on this Account, have Recourse to your Priors, because of the Office enjoyn'd you, you may mutually absolve one another upon these Accounts, according to the Form of the Church; and, by our Authority, may dispense with your selves, in Cases in which the said Priors can do it by Grant of the Apostolick See. They can likewise absolve their Servants and Familiars from Excommunication for apprehending any one upon Account of their Office, as Innocent IV. says in a Bull.

But there are three Cases in which the Inquisitors cannot mutually absolve themselves. The first is, when they have omitted to proceed against any one they ought to have proceeded against. The second, when they have falsely charged any one with Heresy, or said that they have hinder'd the Holy Office, who, in reality, have not. But the Inquisitors are not subject to this Penalty, if they omit to proceed through Ignorance; but only when they know they ought to have proceeded, and have then omitted to proceed through Hatred, Favour, Love, Money, or Entreaty, contrary to Justice and their own Conscience; or, on the other hand, have proceeded when they ought not. The third Case is, when they have unlawfully extorted Money, under Pretence of their Office, or have confiscated the Effects of the Church for the Offences of the Clergy.

Amongst the Privileges of the Inquisitors 'tis not the least, that the Inquisitor hath Power of granting an Indulgence of twenty or forty Days, as he shall see fit, to all that are truly penitent, and confessed, and who attend on his Sermon made for the Faith, according to that Rescript of Innocent, Clement, Alexander, and Urban IV. They can also release from the Penances enjoyn'd them, for three Years, all the Companions and Friars of the Inquisitor, and also his Notaries, who have laboured together with them in the Prosecution of this Affair, and who have, from their Hearts, personally afforded Assistance, Counsel, and Favour against Hereticks, their Favourers, Receivers, and Defenders. And if any of them should happen to die in the Prosecution of this Business, they grant them full Pardon of all their Sins, for which they are contrite in Heart, and confess with their Mouth. Gregory IX. plainly declares thus, in his Rescript, in these Words: *Add to these Things, In order to their more freely and effectually executing the Office committed to them in all the Premises, we, considering in the Mercy of Almighty God, and in the Authority of the blessed Peter and Paul his Apostles,*

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shall, do release for three Years, from the Penance enjoined them, all who shall attend on their (the Inquisitors) preaching, twenty Days in their several Stations; and all those who shall, from their Heart, afford Assistance, Counsel, and Favour, to the subduing of Hereticks, and their Favourers, Receivers, and Defenders, in their fortified Places and Castles, or any other that rebel against the Church. And if any such should happen to die in the Prosecution of this Affair, we grant them full Pardon of all their Sins, for which they are contrite in their Heart, and which they confess with their Mouths. *Pegna* tells us, that the Cross-Bearers enjoy this Privilege to this Day, and they are the same with the Familiars in Spain, who are at the Beck of the Inquisitors, and execute all Things they order them, to promote this Holy Office, the Propagation of the Faith, and the Extirpation of heretical Pravity. But as there are extant the Bulls of five Popes, who, every one of them, grant these three Years of Indulgences, some infer from hence, that these Years of Indulgences are to be added together, and therefore that Indulgences of fifteen Years are granted to all who promote the Office of the Inquisition, for every Time and Instance: And *Pegna*, who believed once that the Indulgences of the former Popes were only confirmed by the Bulls of the latter, says there is Reason to add them to one another. But to the Inquisitors themselves is granted a plenary Indulgence in Life and Death, by a Rescript of *Alexander IV.*

This plenary Indulgence the Repertory of the Inquisition extends so far, as that the Inquisitors shall not only obtain it once in their Lives, but by all perfect Acts whatsoever, that are celebrated against Hereticks, in Favour and to the Praise of the Faith.

Of the JURISDICTION of the INQUISITORS.

Because the Inquisitors are Judges delegated by the Pope in the Cause of Faith, that all Herefy may be wholly extirpated according to the Pope's Pleasure, Power is given them in Favour of the Faith, of proceeding against all sorts of Persons whatsoever; few only are excepted. The Inquisitor can't proceed against the Officials and Legates of the Apostolick See, nor against Bishops; but he may give Notice of their Crimes to the Apostolick See. *John XXII.* ordained the same; when *Matthew de Pontiniano*, a Predicant, Inquisitor of heretical Pravity in the Kingdom of Sicily, pronounced Sentence of Excommunication against *G. de Baleta*, Archdeacon of *Forli*, and Chaplain to the Pope. But *Pius IV.* by an

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Extravagant, in the Year 1563, ordained, that the Cardinals Inquisitors General over all Christendom, might proceed against Bishops, and all other Prelates whatsoever, and admonish and cite them, and require their personal Appearance within a certain Term, and that under grievous Penalties; that so, when the Process is formed, it may be reported to the most holy Lord, and that the deserved and just Punishment may be published against them.

As to such Religious as were exempt, there was formerly a great Variety about the Power of proceeding against them. For *Alexander IV.* by a certain Rescript, ordained, that the Inquisitors should proceed, without Distinction, against all manner of religious and exempt Persons whatsoever. The same also was ordained by others. But *Pius II.* about the Year 1460, granted to the Vicar of the Order of the Friars *Minors*, that he should make Inquisition, and punish his own Friars suspected concerning the Faith, or of Heresy. A few Years after, *Sixtus* ordain'd, by a golden Bull, which may be seen in the Book of the Privileges of the *Predicant* Order, Fol. 162, that the *Predicants* shall not proceed against the Friars *Minors*, nor the *Minors* against the *Predicants*, in those Places where they exercise the Office of the Inquisition. A few Years after this, *Innocent VIII.* forbid all the Inquisitors to proceed in any manner, or make Inquisition against the Friars *Minors*, as appears from the Apostolick Letters written about this Affair, contain'd in a Book entitled, *Fundamentum trium Ordinum beati Francisci.*

But whereas these Immunities were sometimes manifestly dangerous to the Faith, the later Popes have subjected all religious or otherwise exempted Persons, in the Cause of Faith, as formerly, to the Inquisitors of heretical Pravity. Thus *Clement VII.* by a Rescript, and *Pius IV.* by another; for which Reason it was declared, by *Charles V.* Emperor in *Spain*, That the Soldiers of *St. James*, if they should happen to be Hereticks, are not exempted from the ordinary Jurisdiction, nor from that of the Inquisitors. The same Rule also is entirely to be observed as to the Soldiers of *St. John*, and as to all others whatsoever.

In some particular Religions, the Order is prescribed, which must be observed in denouncing heretical or suspected Friars; whereby the Prior of the Convent must make the Denunciation to the Provincial, the Provincial to the General, and the General to the Office of the Inquisition. But that this round-about Way may be avoided, when this Method cannot be so conveniently observed, the Prior alone may make the Denunciation, or any other in his Room upon his Absence, that the Cause of Faith may not be delay'd. But

But although the Inquisitors may thus proceed against all religious and exempt Persons, yet there are some Religious, against whom private Inquisitors are not easily allow'd to proceed, because of the Prerogative of their Dignity. Such are the Masters General of Orders, of the *Predicants*, *Minors*, and the like; and also the Masters General of the Military Religious. When such are to be proceeded against, the proper Way is, first to inform the Inquisitors General, who, upon taking Cognizance of the Cause, must decree what is necessary to be done, unless the Criminal attempts to escape, and there appears Danger in Delay.

Farther, the Inquisitor hath Power to proceed against Priests. Moreover, the Priests, and others of the Clergy, who shall be found to hinder the Office of the Inquisition, either by instructing Hereticks and their Believers, when cited, to conceal the Truth, or speak Falshood, or by endeavouring unlawfully to deliver them, may, in such Cases, since 'tis certain they act in Favour of heretical Pravity, be restrained by the Inquisitors, and chastized with deserved Punishment, either by seizing their Persons, or otherwise, as the Fault of the Criminal shall require.

And finally, they may proceed against all Laicks whatsoever, without Distinction, infected, suspected, or defamed of Heresy, of every Condition, not excepting Princes and Kings. In the latter Case they think it safer, when they proceed against Princes and Nobles that are Hereticks, or suspected of Heresy, to consult the Pope, according to whose Will, and Manner prescribed by him, they must proceed against them: Not for that they think any Deference is due to Nobility, which is forfeited by Heresy, but to prevent Scandal; for if the Inquisitors should publicly animadvert on Nobles, Consuls, and Magistrates, they might easily be hinder'd, especially in suspected Places, and where the Inquisitors are poor and weak.

Moreover, they may proceed against all Persons whatsoever, of every Condition, and whatsoever Privileges they enjoy, if they any ways obstruct the Office of the Inquisition. Thus *Alexander IV.* commands in his Bull, beginning, *Let all Contraveners be punished by the Ecclesiastical Censure, without any Regard to their Appeal: Any Privileges or Indulgences whatsoever, granted by the said See, or hereafter to be granted, specially or generally, under whatsoever Expression or Form of Words, or any Persons of whatsoever Condition, Dignity, or Degree, Religion or Order, or to any Communities or Universities of Cities or Places, to the contrary notwithstanding. For by these, or any other Privileges or Indulgences, we would not have an impediment of great Piety obstructed. The same Pope, in*

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his Bull commands, That if the Clergy and Religious do not assist the Inquisitors, according to their Office and Power, they may be proceeded against according to the Canonical Sanctions, any Privileges to the contrary notwithstanding.

The Inquisitors may also proceed against those who have offended in their Province, and remove themselves to another; as also against those who, having offended any where else, are found in their Province.

We have a famous Instance how insolently the Inquisitors sometimes abuse this Power, in *Joan*, Daughter of the Emperor *Charles V.* whom they cited before their Tribunal, to interrogate her concerning a certain Person, in some Matters relating to the Faith. The Emperor himself was so afraid of this Power, that he commanded his Daughter not to put off the Affair, but make her Deposition without Delay, to avoid the Sentence of Excommunication, as well against others as against himself, if she believed him culpable in the smallest Matter. Upon which the most serene *Joan* gave in immediately her Deposition before *Fernand Valdez*, Archbishop of *Seville*, at that Time Inquisitor-General. But if the Bishop, or Inquisitor, sends for Witnesses from any other Diocese, he is not obliged to send the Process to the Bishop of such Diocese; nor can such Bishop justly demand it.

In this Age, the *Spanish* Inquisition endeavoured, under a specious Pretence, to extend its Jurisdiction over the Subjects of other Kings. According to the Conventions and Treaties between the Kings of *England* and *Spain*, the *English*, whom the *Spaniards* call *Hereticks*, were allow'd upon the Account of Commerce and Trade, to dwell in the Countries of the *Catholicks*, upon this Condition, That they should not be molested for any Matters relating to Religion and Faith, unless they gave publick Offence; in which Case they were to be punish'd in Proportion to the Scandal given, according to Law.

Of the PRISONS of the INQUISITORS, and KEEPERS of those

PRISONS.

Prisons were formerly appointed to keep Men in Custody, and not to punish them; but, by the Canon Law, they may be used for Punishment. Heretofore the Bishop and Inquisitor might have their separate Prisons to hold Persons in Custody, but not to punish them; for as they cannot condemn any one to Imprisonment without the Consent of both, it is therefore requir'd that the Prison for Punishment shall be common to

both:

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both : But now they have not usually separate Prisons; the same that belongs to the Inquisitor, in which Criminals are kept in Custody, being common to the Bishop.

Here are two Things to be explained. *First*, What must be done before any Person can be thrown into Prison. *Secondly*, What Method must be observed in keeping and placing the Prisoners.

As to the first, hear what their own Authors say. In all Causes, as well civil as criminal, Criminals must not be apprehended without a summary Inquisition against them concerning their Crime first had. This is particularly to be observed in the Crime of Heresy; for tho' in other Crimes no one suffers much in his Reputation merely for his being thrown into Prison, yet to be taken up for the Crime of Heresy is greatly infamous, which must therefore be proceeded in with great Caution: For since the Reason of proceeding in the Crime of Heresy is much more important than in other Offences, there is Need of a greater Inquisition, and of a summary Cognizance, before Criminals are apprehended. So that no one is lightly to be shut up in close Prison for small Offences, for Propositions that sound ill, or that are scandalous, or blasphemous, or others which do not contain real Heresy; but is to be confined either in some Monastery, or in his own House or City.

The Inquisitors may, indeed, proceed in the Crime of Heresy against any Person, especially if he be otherwise vile, upon a light and moderate Suspicion, so far as to ask such suspected Person, what he thinks of the Faith. But, in order to apprehend any one for Heresy, two credible Witnesses are required, although they say that the Testimony of a single one, if beyond all Exception, is sufficient, who deposes what he saw or heard; yea, if he be not beyond all Exception, yet is otherwise fit, provided he agrees with the Informer; for, in this Case, they say, there are two Witnesses, and consequently more than half Proof, which is sufficient for any one's being apprehended. But that one Witness, above all Exception, is enough in this Case, they prove from the *Madrid Instruction, Anno 1561, Cap. 4.* which says, *If the Testimony be not sufficient for the apprehending, &c.* This Instruction is in the singular Number, and therefore intimates, that one lawful Witness against any one, is sufficient for his being taken up; especially if the Person be scandalous, and vile, and suspected; as are all the new Converts of the *Mahometan* Sect in the Kingdom of *Valencia*; and, as *Royas* says, the *French* and *Germans* of the *Lutheran*. But if the Person accused be noble, and of good Reputation and Fame, he is not to be apprehended upon a single Testimony.

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However, this is left to the Pleasure of the Judge, after having consider'd the Quality of the Person, and his Offence; not that the Inquisitors of the Faith should appear eager to take up Criminals; for they are always to use great Circumspection. This is especially necessary in the receiving and examining Witnesses. They first, in the first Place, admonish them, how horrible and dreadful a Wickedness it is to give false Witness in any Causes, and especially in the Holy Office of the Inquisition; and that they should have God, and his awful and tremendous Judgment, before their Eyes, that they may not, for Prayer, or Price, or Entreaty, or any other wicked Affection, defame an innocent Person with so great a Crime. Then the Witnesses are to be interrogated concerning the Place, and Time; what they saw or heard; whether the Person acted or pronounced heretical Words, once or oftner; with what Obstinacy or Eagerness he affirmed them; and what other Persons were present; and for what Causes, Reasons, and Occasions, they were present; and concerning all other Circumstances necessary to discover the Truth or Falshood.

These Things premised, the Witnesses received, and the Propositions qualified, the Promotor Fiscal demands before the Inquisitors, that the Criminals be apprehended and imprisoned, that they may suffer the deserved Punishment.

When the Offence thus appears, and 'tis proper to apprehend the Criminal, the Inquisitor may then order him to be taken up. When they have determined upon his being apprehended, they give out the Order to that Officer, who, according to the Custom of the Holy Office, is to take up Criminals; and his Order is subscribed by the Inquisitors. If several Persons are to be taken up the same Day and Time, they give an Order for each Person, which is inserted in their respective Processes, that such Acts, which are of great Weight, may appear openly.

As to the second: All Criminals have not alike Places of Imprisonment; their Cells being either more terrible and dark, or more easy and chearful, according to the Quality of the Persons and their Offences. In reality, there is no Place in the Prison of the Inquisition that can be called pleasant or chearful, the whole Prison is so horrible and nasty.

This Prison is called, in *Spain* and *Portugal*, *Santa Casa*, i. e. the Holy House: Every Thing, it seems, in this Office must be Holy. The Prisons are so built, as the Author of the History of the Inquisition at *Goa* describes them, and as will appear from other Relations, that they will hold a great Number of Persons. They consist of several Porticoes, every one of which is divided into several small Cells of a square Form, each

Side

Side being about ten Foot. There are two Rows of them, one being built over the other, and all of them vaulted. The upper ones are enlighten'd by Iron Grates, placed above the Height of a tall Man. The lower ones are under Ground, dark, without any Window, and narrower than the upper ones. The Walls are five Foot thick. Each Cell is fasten'd with two Doors, the inner one thick, and covered over with Iron; and, in the lower Part of it, there is an Iron Grate. In the upper Part of it, is a small Window, through which they reach to the Prisoner his Mear, Linen, and other Necessaries, which is shut with two Iron Bolts. The outer Door is entire, without any opening at all. They generally open it in the Morning, from Six a-Clock till Eleven, in order to refresh the Air of the Prison.

In all these Prisons the Prisoners, Men and Women, without any Regard to Birth or Dignity, are shaved the first or second Day of their Imprisonment. Every Prisoner hath two Pots of Water every Day; one to wash, and the other to drink; and a Besom to cleanse his Cell, and a Mat made of Rushes to lie upon, and a larger Vessel to ease Nature, with a Cover to put over it, which is changed once every four Days. The Provisions which are given to the Prisoners, are rated according to the Season, and the Dearness or Plenty of Eatables. But if any rich Person is imprisoned, and will live and eat beyond the ordinary Rate of Provisions, and according to his own Manner, he may be indulged, and have what is decent, and fit for him; his Servant, or Servants, if he hath any, being with him in the Prison. If there are any Provisions left, the Keeper, and no other, must take them, and give them to the Poor. But if they find, by the very Accusation, that any Persons are to be punished with Forfeiture of all their Effects, they do not suffer them to live so plentifully, but order them a small Pension for their Subsistence, viz. about thirty Maravedis, of the Value of ten Dutch Stivers. This agrees with the Account of *Isaack Orobio*, who had a plentiful Fortune at *Seville*, and was nevertheless used very hardly in the Prison of the Inquisition there. Although his Estate was very large, yet he was allowed a very small Pension to provide himself Provision. This was Flesh, which they made him sometimes dress and prepare for himself, without allowing him the Help of any Servant. In this Manner are the richer Prisoners treated; As to the poorer, and such who have not enough to supply themselves in Prison, their Allowance is fixed by the King, viz. the Half of a Silver Piece of Money, call'd a Real, every Day. Dr. *Geddes* tells us of one in the Inquisition at *Lisbon*, who was allowed no more than three Vintems a Day;

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Day; a Vintem is about an *English* Penny Farthing. Out of this small Sum, the Buyer of their Provision, whom they call the Dispenser, and their Washer, must be paid; and all other Expences that are necessary for the common Supports of Life. Besides, this very Royal Allowance for the Prisoners, doth not come to them but through the Hands of several Persons, and those none of the most honest; first by the Receiver, then the Dispenser, then the Cook, then the Prison Keeper, who, according to his Office, distributes the Provision amongst the Prisoners. *Gonsalvius* adds, that he gave this particular Account of this Matter, because all these Persons live, and have their certain Profits, out of this small Allowance of the King to the Prisoners; which coming to them through the crooked Hands of these Harpies, they cannot receive it till every one of them hath taken out more than a tenth Part of it.

The Author of the History of the Inquisition at *Goa* tells us, this Order is observed in distributing the Provisions: The Prisoners have Meat given them three times every Day; and even those who have the Misfortune to be in this Case, and have Money, are not treated much better than others, because their Riches are employ'd to make Provision for the Poorer. I was informed, by *Isaack Orobio*, that in *Spain* they sometimes give the Prisoners Coals, which they must light, and then dress their own Food; Sometimes they allow them a Candle. Those who are confined in the lower Cells, generally sit in Darkness, and are sometimes kept there for several Years, without any one's being suffer'd to go to or speak to them, except their Keepers, and they only at certain Hours, when they give them their Provision. They are not allowed any Books of Devotion, but are shut up in Darkness and Solitude, that they may be broke with the Horrors of so dreadful a Confinement, and, by the Miseries of it, forced to confess Things which oftentimes they have never done.

And how dreadful the Miseries of this Prison are, we have a famous Instance given us by *Reginald Gonsalvius Montanus*. In the Age before the last, a certain *English* Ship put in at the Port of *Cadiz*, which the Familiars of the Inquisition, according to Custom, searched upon the Account of Religion, before they suffer'd any Person to come a-shore. They seized on several *English* Persons, who were on board, observing in them certain Marks of Evangelical Piety, and of their having received the best Instruction, and threw them into Prison. In that Ship there was a Child, ten or twelve Years old at most; the Son of a very rich *English* Gentleman, to whom, as was reported, the Ship, and principal Part of her Loading, belonged: Amongst others, they took up also this Child.

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The Pretence was, that he had in his Hands the *Psalms of David* in *English*. But, as *Gonsalvus* tells us, those who knew their Avarice and cursed Arts, may well believe, without doing any Injury to the Holy Inquisition, that they had got the Secret of his Father's Wealth, and that this was the true Cause of the Child's Imprisonment, and of all that Calamity that followed after it. However, the Ship, with all its Cargo, was confiscated, and the Child, with the other Prisoners, were carried to the Prison of the Inquisition at *Seville*, where he lay six or eight Months, Being kept in so strait Confinement for so long a while, the Child, who had been brought up tenderly at Home, fell into a very dangerous Illness, through the Dampness of the Prison, and the Badness of his Diet. When the Lords Inquisitors were inform'd of this, they order'd him to be taken out of the Prison, and carried, for the Recovery of his Health, to the Hospital, which they call the *Cardinal*. Hither they generally bring all who happen to fall ill in the Prison of the Inquisition, where, besides the Medicines, of which, according to the pious Institution of the Hospital, there is Plenty, and a little better Care, upon account of the Distemper, nothing is abated of the Severity of the former Prison; no Person, besides the Physician, and the Servants of the Hospital, being allowed to visit the sick Person; and, as soon as ever he begins to grow better, before he is fully recover'd, he is put again into his former Prison. The Child, who had contracted a very grievous Illness from that long and barbarous Confinement, was carried into the Hospital, where he lost the Use of both his Legs; nor was it ever known what became of him afterwards. In the mean while, 'twas wonderful that the Child, in so tender an Age, gave noble Proofs how firmly the Doctrine of Piety was rooted in his Mind, oftentimes, but especially Morning and Evening, lifting up his Eyes to Heaven, and praying to him, from whom he had been instructed by his Parents to desire and hope for certain Help; which the Keeper having often observed, said, *He was already grown a stout little Heretick.*

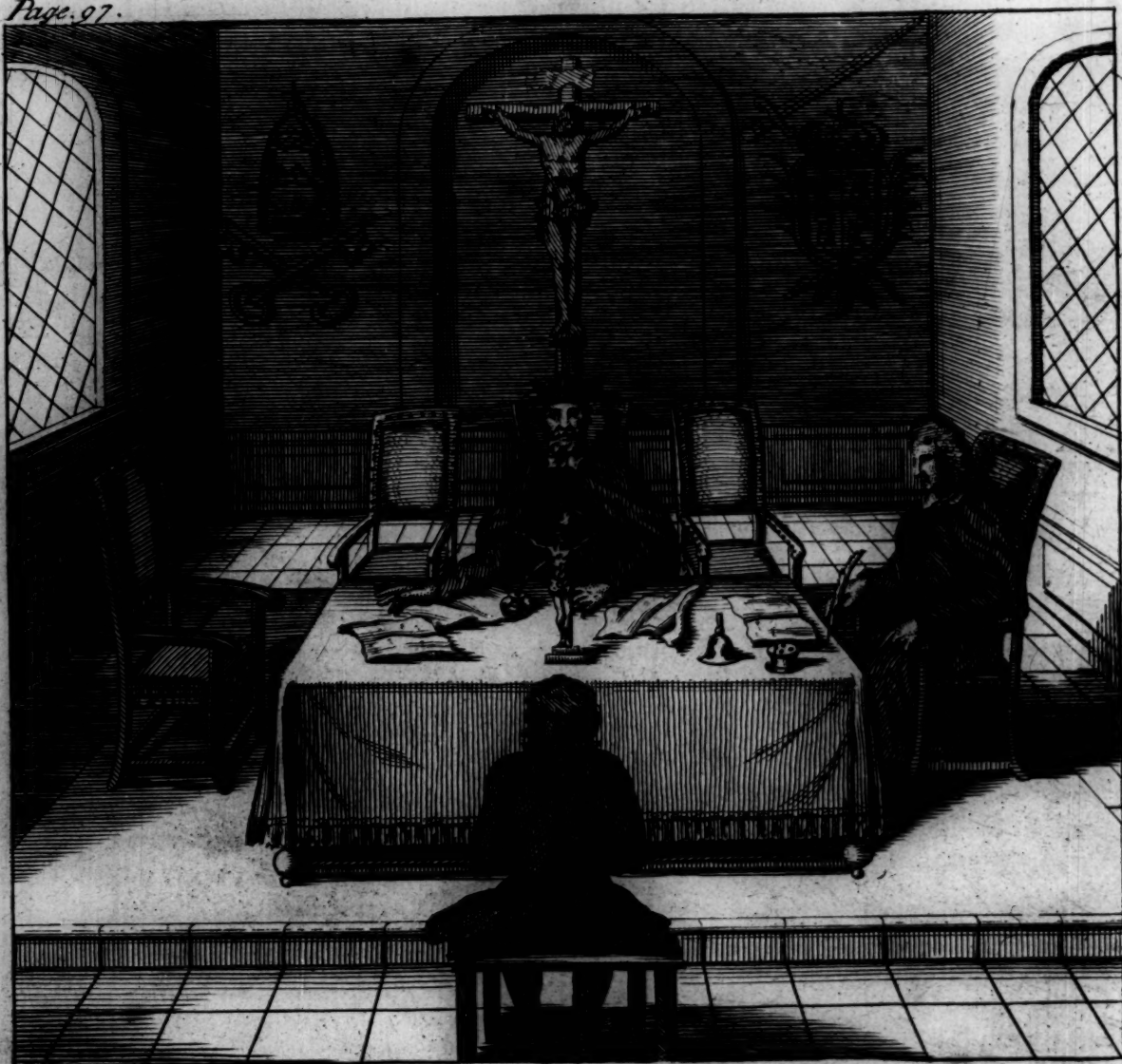
About the same Time, a certain Person was taken up and thrown into the same Prison, who had voluntarily abjured the *Mabometan* Impiety, and came but a little before from *Morocco*, a famous City of *Mauritania*, and Capital of the Kingdom, into that Part of *Spain* which lies directly over against it, with a Design to turn Christian. When he had observed that the Christians were more vicious and corrupt than the *Moors* he had left, he happen'd to say, that the *Mabometan* Law seem'd to him better than the Christian. For this, the good Fathers of the Faith laid hold
of

of him, thrust him into Prison, and used him so cruelly, that he said publicly, even when in Confinement, that he never repented of his Christianity, from the Day he was baptized, till after his having been in the Inquisition, where he was forced, against his Will, to behold all manner of Violences and Injuries whatsoever.

The Complaint of *Constantine*, the Preacher of *Seville*, was not less grievous concerning the Barbarities of this Prison; who, although he had not as yet tasted of the Tortures, yet often bewailed his Misery in this Prison, and cried out, *O my God, were there no Scythians in the World, no Cannibals more fierce and cruel than Scythians, into whose Hands thou couldst carry me, so that I might but escape the Paws of these Wretches!* *Olmedus* also, another Person famous for Piety and Learning, fell into the Inquisitors Hands at *Seville*; and, through the Inhumanity of his Treatment, which had also proved fatal to *Constantine*, contracted a grievous Illness, and, at last, died in the midst of the Nastiness and Stench. He was used to say, *Throw me any where, O my God, so that I may but escape the Hands of these Wretches!*

The Author of the History of *Goa* agrees in this Account, who frankly owns, that, through the Cruelty and Length of his Imprisonment, he fell into Despair, and thereby often attempted to destroy himself; first, by starving himself, and, because that did not succeed, he feigned himself sick; and, when the Physician of the Inquisition found his Pulse unequal, and that he was feverish, he ordered him to be let Blood, which was done again five Days after. When the Doctor was gone, he unbound his Arm every Day, that so, by the large Effusion of Blood, he might continually grow weaker and weaker. In the mean while, he eat very little, that by Hunger, and Loss of Blood, he might put an End to his miserable Life. Whilst he was in this sad Condition, he had sent him a Confessor, of the *Franciscan* Order, who, by various Arguments of Comfort, endeavoured to recover him from his Despair. They also gave him a Companion in his Prison, which was some Comfort to him in his Confinement. But growing well again, after about five Months, they took his Companion from him. The Lonesomeness of his Prison brought on again his Melancholy and Despair, which made him invent another Method to destroy himself: He had a Piece of Gold Money, which he had concealed in his Clothes, which he broke into two Parts; and, making it sharp, he opened with it a Vein in each Arm, and lost so much Blood, that he fell into a Swoon, the Blood running about the Prison. But some of the Servants, happening to come before the usual Time to bring





The Holy Tribunal. Le Saint Tribunal.

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bring him something, found him in this Condition. The Inquisitor hereupon order'd him to be loaded with Irons upon his Arms and Hands, and strictly watched. This Cruelty provoked him to that Degree, that he endeavoured to beat his Brains out against the Pavement and the Walls; and undoubtedly the Ligaments upon his Arms would have been torn off, had he continued any longer in that State. Upon this, they took off his Chains, gave him good Words, encouraged him, and sent him a Companion, by whose Conversation he was refreshed, and bore his Misery with a little more Easiness of Mind: But, after two Months, they took him from him again; so that the Solitude of his Prison was more distressing to him than before.

The Prisoners, as soon as ever they are thrown into Prison, are commanded to give an Account of their Name and Business; then they enquire after their Wealth; and, to induce them to give in an exact Account, the Inquisition promises them, if they are innocent, all that they discover to them shall be faithfully kept for, and restored to them; but that if they conceal any Thing, it shall be confiscated, though they should be found not guilty. And as in *Spain* and *Portugal* most Persons are fully persuaded of the Sanctity and Sincerity of this Tribunal, they willingly discover all their Possessions, even the most concealed Things of their Houses, being certainly persuaded, that, when their Innocence shall appear, they shall soon recover their Liberty and Effects together. But these miserable Creatures are deceived; for he that once falls into the Hands of these Judges, is stripped at once of all he was possessed of. For if any one denies his Crime, and is convicted by a sufficient Number of Witnesses, he is condemned as a negative Convict, and all his Effects confiscated: If, to escape the Prison, he confesses his Crime, he is guilty by his own Confession, and, in the Judgment of all, justly stripped of his Effects. When he is dismissed from Prison, as a Convert and Penitent, he dares not defend his Innocence, unless he desires to be thrown again into Prison, and condemned; and, as a feigned Penitent, to be deliver'd over to the Secular Arm.

When the Prisoner is brought before his Judge, he appears with all outward Signs of Humility. In this Condition, he is brought out of Prison by the Warder. When he comes to the Room of Audience, the Warder goes a little forward, and makes a profound Reverence, then withdraws, and the Prisoner enters by himself. In the Midst of the Audience Room there is placed a Crucifix, that reaches almost to the Ceiling,

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between the Arms of the Pope and the Inquisition. In the Middle of the Hall is a Table about five Foot long, and four broad, with Seats placed round it. At one End of the Table sits the Notary of the Inquisition; in the Middle the Inquisitor is seated; and over against him the Prisoner on a Stool. Upon the Table is a Missale, and a small Crucifix, upon which the Prisoner is command to lay his Hand, and to swear that he will speak the Truth, and keep every Thing secret. After they have sufficiently interrogated him, the Inquisitor rings a Bell for the Warder, who is commanded to carry back his Prisoner to Prison.

No one in the Prison must so much as mutter, or make any Noise, but must keep profound Silence. If any one bemoans himself, or bewails his Misfortune, or prays to God with an audible Voice, or sings a Psalm or sacred Hymn, the Keepers, who continually watch in the Porches, and can hear even the least Sound, immediately come to him, and admonish him that Silence must be preserved in this House. If the Prisoner doth not obey, the Keepers admonish him again. If, after this, the Prisoner persists, the Keeper opens the Door, and prevents his Noise, by severely beating him with a Stick, not only to chastize him, but to deter others, who, because the Cells are contiguous, and deep Silence is kept, can very easily hear the Outcries and Sound of the Blows. I will add here a short Story that I had from several Persons, which, if true, shews us with what Severity they keep this Silence. A Prisoner in the Inquisition coughed: The Keepers came to him, and admonished him to forbear coughing, because it was unlawful to make any Noise in that House. He answer'd, 'twas not in his Power. However, they admonished him a second time to forbear it; and, because he did not, they stripped him naked, and cruelly beat him. This encreased his Cough, for which they beat him so often, that at last he died, through the Pain and Anguish of the Stripes.

They insist so severely on keeping this Silence, that they may cut off every Degree of Comfort from the Afflicted; and especially for this Reason, that the Prisoners may not know one another, either by signing, or any loud Voice; for it oftentimes happens, that, after two or three Years Confinement in the Prison of the Inquisition, a Man doth not know that his Friend, nor a Father that his Children and Wife are in the same Prison, till they all see each other in the Act of Faith: And finally, that the Prisoners in the several Cells may not talk with one another, which if ever found out, their Cells are immediately changed.

If

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If any one falls ill in the Prison, they send to him a Surgeon and Physician, who administer all proper Remedies to him to recover him to Health. If there be any Danger of his dying, they send him a Confessor, if he desires it. According to the Provision of the *Madrid Instruction*, Anno 1561, cap. 71. *If any Criminal falls ill in Prison, the Inquisitors must take diligent Care that he may have Medicines, and all Things necessary for his Safety, and the Advice of one Physician or more, to recover him. And if he desires a Confessor, let them assign him one of known Probity, and who may be confided in, and let him be sworn to Secrecy. If the Penitent says any thing to him in Confession, which he would have told out of the Prison, let him not obey him in this by any Means, nor discover any such Commands. But if he enjoins him any Thing out of Confession, let him reveal that to the Inquisitors. Farther, let the Inquisitors admonish and instruct the Confessor how he shall behave towards the Penitent; particularly that he tell him, that since he was imprisoned for Heresy, and accused as guilty of it, he cannot be absolved, unless he judicially declares his Heresy. Let other Things be left to the Judgment and Conscience of the Confessor, who ought to be instructed, that he may understand what is fit to be done in such a Cause.*

If the Criminal doth not ask for a Confessor, and the Physician believes the Distemper to be dangerous, he must be persuaded by all Means to confess; and, if he judicially satisfies the Inquisitors, he is to be reconciled to the Church before he dies; and, being absolved in Judgment, the Confessor must absolve him Sacramentally. This is order'd by the same Instruction.

If he is well, and desires a Confessor, some are of Opinion he may not have one granted him, unless he hath confessed judicially: Others think he may; and, in this Case, the Confessor's Business is to exhort him to confess his Errors, and to declare the whole Truth, as well of himself as of others, as he is bound, *de jure*, to do.

They are particularly careful not to put two or more in the same Cell, unless the Inquisitor for any special Reason shall so order, that they may not concert with one another to conceal the Truth, to make their Escape, or to evade their Interrogatories. The principal Reason, indeed, seems to be, that, through the Irksomeness of their Imprisonment, they may confess whatsoever the Inquisitors would have them. But if an Husband and his Wife are both imprisoned for the same Offence, and there be no Fear that one should prevent the other from making a free Confession of the Crime, they may be put in the same Cell.

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The Inquisitors are obliged to visit the Prisoners twice every Month, and to enquire whether they have Necessaries allowed them, and whether they are well or not. In this Visit they usually ask him in these very Words, How he is? How he hath his Health? Whether he wants any Thing? Whether his Warder is civil to him? &c. whether he speaks to him in a reproachful and severe Manner? Whether he gives him his appointed Provision, and clean Linen? and the like. These are exactly the Sentences and Words they use in these Visits, to which they neither add any Thing, nor act agreeably; for they use them only for Form's sake, and when the Inquisitor hath spoken them, he immediately goes away, scarce staying for an Answer: And although any one of the Prisoners complains that he is not well used, 'tis of no Advantage to him, nor is he better treated for the future. If there be Occasion or Necessity, it will be convenient for them, to visit the Prisoners three or four times every Month, yea, as often as they think proper, viz. when the Criminal bears with Impatience the Misfortune and Infamy of his Imprisonment; in such Case the Inquisitor must endeavour to comfort him very often, not only by himself, but by others, and to tell him, that if he makes a free Confession, his whole Affair shall be quickly and kindly ended.

The Inquisitors must take Care not to talk with the Criminals, when they are examined or visited, upon any other Affairs, but such as relate to their Business. Nor must the Inquisitor be alone when he visits, or otherwise gives them Audience; but must have with him his Colleague, or at least a Notary, or some other faithful Servant of the Holy Office.

This also they are particularly careful of, that the Criminals may not be removed from one Cell to another, nor associate with any other. If any Prisoners have been shut up together at once in the same Cell, when they are removed, they must be removed together, that hereby they may be prevented from communicating any Thing that hath been transacted in the Prison. This is more especially to be observed, in case any of them recall their Confession, after they have been removed from one Cell and Company to another. But if a Criminal confesses, and is truly converted, he may more easily be removed from one Cell to another, because the Inquisitor is in no Pain for fear of his retracting, but may oftentimes make use of him to draw out the Truth from other Prisoners.

If Women are imprisoned, they must each of them have, according to their Quality, one honest Woman, at least, for a Companion, who must never be absent from her, to prevent all Suspicion of Evil. This Compa-

nion must be ancient, of a good Life, pious and faithful. Sometimes when Women are to be imprisoned, they do not carry them to the Prison of the Inquisitors, especially if they are Regulars; if the Prisons be within the Walls of the Monasteries, but to the Convents of the Nuns. When this happens, they command the Abbess or Prioress to admit no Discourse with the Prisoner without express Leave of the Inquisitor, but diligently to observe the Order given her. But, when the Cause is of Importance, and full of Danger, and such they esteem all that relate to the Faith, they think it safer that Women should be imprisoned in the Prisons of the Inquisitors. But the Cardinals Inquisitors General are to be consulted in this Affair, who, after mature Consideration, are to determine, whether it be most expedient that such Criminals should be kept in the Prisons of the Bishops, or Inquisitors Regulars, especially if they are young and handsome, as is often the Case of those who are taken up for telling People's Fortunes about their Sweethearts.

It is farther the Custom and received Use of this Holy Tribunal, that such who are imprisoned for Heresy, are not admitted to hear Mass, and other Prayers which are said within the Prison, till their Cause is determined. Their principal Pretence for this Custom is, that it may possibly happen, when there is a great Number of Criminals, that the several Accomplices, Companions and Partakers of the Crime, may, at least by Nods and Signs, discover to one another how they may escape Judgment, or conceal the Truth.

But the true and genuine Reason is, that the Prisoner may have nothing to contemplate besides his present Misfortune; that so, being broken with Miseries of his Confinement, he may confess whatsoever the Inquisitors would have him. For this Reason they deny them Books, and all other Things that would be any Relief to them in their tedious Imprisonment. If any one of the Prisoners whatsoever prays the Inquisitor, when he visits him, that he may have some good Book, or the Holy Bible, he is answer'd, that the true Book is to discover the Truth, and to exonerate his Conscience before that Holy Tribunal; and that this is the Book which he must diligently study, viz. to recover the Remembrance of every Thing faithfully, and declare it to their Lordships, who will immediately prescribe a Remedy to his languishing Soul. If the Prisoner, in the same or next Visit, is importunate about it, he will be commanded Silence, because if he asks to please himself, they may grant or deny him, according to their Pleasure.

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The keeping the Prison antiently belonged to the Executors Office; and, as often as he was absent, he was obliged to provide another Keeper at his own Charge: But now the Keeper is created by the Inquisitor-General, and is different from the Executor.

Those who keep the Prisons for the Crime of Heresy, must swear, before the Bishop and Inquisitor, that they will faithfully keep their Prisoners, and observe all other Things prescribed them.

There must be two Keepers to every Prison, industrious and faithful Men, one appointed by the Bishop, the other by the Inquisitor. Each of them may have their proper Servant. Besides this, to every Cell there must be two different Keys, each Keeper to have one, which they may give to their Servants, to supply the Prisoners with Necessaries. The Bishop and Inquisitor have no Power to agree that there shall be but one Keeper, because it doth not seem safe enough; neither is it allowed them by Law, nor appointed in their Cause or Favour.

But now there is only one Keeper appointed in every Province, chosen by the Inquisitor-General, who is not allowed to give the Prisoners their Food: But the Inquisitors chuse some proper Person to this Office, who is commonly called the Dispenser. The Provisions they give the Criminals are generally prepared and dressed in the House of the Inquisition; because if they were to be prepared in the Houses of the Criminals themselves, or any where else, something might easily be hid under them, that might furnish them with the Means to conceal the Truth, or to elude or escape Judgment. This, however, is to be left to the Prudence and Pleasure of the Inquisitors, whether and when the Criminals may, without Danger, prepare their Provision in their own Houses. But, upon account of the Hazard attending it, the Inquisitors but seldom, and not without exquisite Care, gratify them in this Particular. If any Things are sent by their Friends, or Relations, or Domesticks, the Keeper and Dispenser never suffer them to have it, without first consulting the Inquisitors.

As these Keepers have it in their Power greatly to injure or serve their Prisoners, they must promise by an Oath, before the Bishop and Inquisitors, that they will exercise a faithful Care and Concern in keeping them, and that neither of them will speak to any of them but in Presence of the other, and that they will not defraud them of their Provision, nor of those Things which are brought to them. Their Servants also are obliged to take this Oath.

But,

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But, notwithstanding this Law, a great Part of the Provision appointed for the Prisoners is with-held from them by their covetous Keepers; and, if they are accused for this to the Inquisitors, they are much more gently punished, than if they had used any Mercy towards them. *Reginald Gonzalve* relates, that, in his Time, *Gaspar Bennavidius* was Keeper of a Prison: " He was a Man of monstrous Covetousness and Cruelty, who
" defrauded his miserable Prisoners of a great Part of their Provisions,
" which were ill dressed, and scarce the tenth Part of what was allowed
" them, and sold it secretly, for no great Price, at the *Triana*. Besides,
" he wholly kept from them the little Money allowed them to pay for
" the washing of their Linen; thus suffering them to abide many Days
" together in a nasty Condition, deceiving the Inquisitor and Treasurer,
" who put that Money to the Keeper's Account, as though it had been
" expended every Week for the Use of the Prisoners, for whom it is ap-
" pointed. Neither was it very difficult to deceive them, because they
" took but little Pains to enquire out the Truth. If any one of the Pri-
" soners complained, muttered, or opened his Mouth upon account of
" this intolerable Usage, the cruel Wretch, who had divested himself of
" all Humanity, had a Remedy at hand. He brought the Prisoner im-
" mediately out of his Apartment, and put him down into a Place they
" call *Maxmorra*, a deep Cistern that had no Water in it. There he left
" him for several Days together, without any Thing to lie on, not so
" much as Straw. His Provision there was so very rotten, that it was
" more proper to destroy his Health by Sicknes, than to preserve it, or
" support him in Life. All this he did without ever consulting the In-
" quisitors, and yet fraudulently and villainously pretended their Com-
" mand to his Prisoner. If any one besought him to complain to the
" Inquisitors for so injurious a Treatment, for they could not do it by
" any other Person, and to desire an Audience, the cunning Wretch,
" knowing that the whole Blame must lie upon himself, pretended that
" he had asked, but could not obtain it. By such forged Answers, he
" kept the miserable Prisoner in that deep Pit twelve or fifteen Days,
" more or less, till he had fully gratified his Anger and Cruelty. After
" this he brought him out, and threw him into his former Prison, per-
" suading him that this Favour was owing to his Humanity and Care,
" having made Intercession for him with their Lordships. In short, his
" Thefts and Injuries with which he plagued his Prisoners, who were
" otherwise miserable enough, were so numerous, that some Persons of
" Interest with the Inquisitors at length accused him before them. Upon
" this

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“ this he was imprisoned himself; and being found guilty of many false
 “ Accusations, he received this Sentence : That he should come out at
 “ a Publick Act of the Faith, carrying a Wax Candle in his Hand, be
 “ banish’d five Years from the City, and forfeit the whole Sum of Mo-
 “ ney, which by Virtue of his Office he was to have received from the
 “ Holy Tribunal.

“ This very Man, whilst he was Keeper, had in his Family an ancient
 “ Servant-Maid, who, observing the Distress of the Prisoners labouring un-
 “ der intolerable Hunger and Nastiness, through the Wickedness and Bar-
 “ barity of her Master, was so moved with Pity towards them, being her
 “ self well inclined to the Evangelical Piety, that she often spoke to them
 “ through the Doors of their Cells, comforted them, and, as well as she
 “ could, exhorted them to Patience, many Times putting them in Meat
 “ under their Doors, in Proportion to the mean and low Abilities of her
 “ Condition. And when she had nothing of her own, by which to shew
 “ her Liberality to the Prisoners of Christ, she stole good Part of that Pro-
 “ vision from the wicked Thief her Master, which he had stolen from
 “ the Prisoners, and restored it to them. And that we may the more
 “ wonder at the Providence of God, who so orders it, that the worst of
 “ Parents shall not have always the worst of Children, but sometimes
 “ even the best; a little Daughter of the Keeper himself was greatly
 “ assisting to the Maid in these pious Thefts. By means of this Servant
 “ the Prisoners had Information of the State of the Affairs of their Bre-
 “ thren and Fellow Prisoners, which much comforted them, and was
 “ oftentimes of great Service to their Cause. But, at length, the Matter
 “ was discover’d by the Lords Inquisitors, by whom she was thrown in-
 “ to Prison for a Year, and underwent the same Fate with the other Pri-
 “ soners; was condemned to walk in the publick Procession, with a yel-
 “ low Garment, and to receive two hundred Stripes, which was execu-
 “ ted upon her the following Day through the Streets of the City, with
 “ the usual Pomp and Cruelty. To all this was added Banishment from
 “ the City and its Territories for ten Years. Her Title was, *The Fa-
 “ vouress and Aids of Hereticks*. What excited the implacable Indig-
 “ nation of the Lords, the Fathers of the Faith, against her, was, That
 “ they discovered in her Examination, that she had revealed the Secrets
 “ of the most Holy Tribunal to some of the Inhabitants of the City, par-
 “ ticularly relating to the Provision allotted to the Prisoners. From both
 “ these Examples, and from their different and unequal Punishment, any
 “ one may see how much safer it is to add to the Affliction of the Pri-
 “ soners

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“soners in their Prison, than to comfort them by any Act of Humanity
 “and Mercy whatsoever.” And in order that the Prison of Hereticks may be kept secret, no one
 of the Officials, nor not the Judge himself, as we shall afterwards see,
 can enter it alone, nor speak with the Prisoners, but before another of the
 Officials, nor without the previous Order of the Inquisitors. All are obli-
 ged to swear that they will observe this, that no one may see or speak to
 the Prisoners, besides the Person who gives them their Necessaries, who
 must be a faithful honest Person, and is obliged to swear that he will not
 discover the Secrets, and must be searched, to prevent his carrying any
 Orders or Letters to the Prisoners.

This Command they will have observed as most sacred, because, as
 they say, Secrecy is the Strength of the Inquisition, which might easily
 be violated unless this Order be punctually kept, and therefore they al-
 ways most severely punish those who transgress it. *Gonsalvus Montanus*
 gives us a very remarkable Instance of this. “A few Years ago, viz. be-
 fore *Gonsalvus* wrote this Account, one *Peter ab Herrera*, a Man not
 altogether vile, but of some Humanity, and not very old, was ap-
 pointed Keeper of the Tower of *Triana*, which is the Prison of the
 Inquisition. It happen’d, as it often doth in such numerous and pro-
 miscuous Imprisonments, that, amongst other Prisoners committed to his
 Custody, there was a certain good Matron, with her two Daughters,
 who were put in different Cells, and earnestly desired the Liberty of
 seeing one another, and comforting each other in so great a Calamity.
 They therefore earnestly entreated the Keeper, that he would suffer
 them to be together for one quarter of an Hour, that they might have
 the Satisfaction of embracing each other. He, being moved with Hu-
 manity and Compassion, allowed them to be together, and talk with
 one another for half an Hour, and, after they had indulged their mutual
 Affections, he put them, as they were before, in their separate Prisons.
 A few Days after this, they were put, with great Cruelty, to the
 Torment, and the Keeper, being afraid that, through the Severity of
 their Torments, they should discover to the Lords the Fathers Inqui-
 sitors his small Humanity, in suffering them to converse together for
 half an Hour without the Inquisitors Leave, through Terror, went
 himself to the Holy Tribunal, of his own Accord confessed his Sin,
 and prayed for Pardon: foolishly believing, that, by such his Confes-
 sion, he should prevent the Punishment that threaten’d him for this
 Action. But the Lords Inquisitors judged this to be so heinous a Crime,

" that they order'd him immediately to be thrown into Prison; and such
 " was the Cruelty of his Treatment, and the Disorder of Mind that
 " followed on it, that he soon grew distracted. However, his Disorder
 " and Madneſs did not ſave him from a more grievous Punishment; for,
 " after he had lain a full Year in that curſed Priſon, they brought him
 " out in the publick Proceſſion, cloathed with the yellow Garment, and
 " an Halter round his Neck, as though he had been a common Thief,
 " and condemned him firſt to receive two hundred Laſhes through
 " the Streets of the City, and then to the Gallies for ſix Years. The
 " Day after the Proceſſion, as he was carried from the *Triana* to be
 " whipt with the uſual Solemnity, his Madneſs, which uſually ſeized
 " him every other Hour, came on him; and throwing himſelf from the
 " Aſs on which, for the greater Shame, he was carried, he flew upon
 " the Inquiſitory *Alguazil*, (who is an Officer that executes the Orders of
 " the Inquiſition) and ſnatching from him a Sword, had certainly killed
 " him, had he not been prevented by the Mob who attended him, and
 " ſet him again upon the Aſs, and guarded him till he had received the
 " two hundred Laſhes, according to his Sentence. After this, the Lords
 " Inquiſitors ordered, that as he had behaved himſelf indecently towards
 " the *Alguazil*, four Years more ſhould be added to the ſix for which
 " he was at firſt condemned to the Gallies."

Theſe Keepers are answerable for the ſmalleſt Fault, for they are to
 uſe the ſame Care in the Cuſtody of their Priſoners, as Fathers ought to
 do in governing their Families; ſo that if they ſuffer any one to eſcape
 from Priſon, they are to be puniſhed according to the Nature of their
 Offence. 'Tis therefore their Buſineſs frequently to viſit and ſearch the
 Cells of their Priſoners, to prevent any Thing from being clandeſtinely
 carried in, by which they may deſtroy themſelves, dig through the Walls,
 and ſo eſcape. Their Care of the Women is to be peculiarly ſtrict, ſince
 the Sex is naturally frail, and more ſubject than Men to yield to Paſſion
 and Deſpair, and ſo are more likely to ſeek an Oceaſion of deſtroying
 themſelves. They muſt, above all other Things, take Care that they
 do not behave themſelves indecently towards their Women Priſoners.
 Thus the Congregation of Cardinals Inquiſitors General, condemned a
 Keeper to the Gallies for ſeven Years, and to perpetual Banishment from
 the Place where he committed his Offence, for having carnal Knowledge
 of a Woman that was Priſoner in the Holy Office; as appears from the
 Letters of Cardinal *Argentea*, Jan. 13, 1610, directed to the Inquiſitor
 of *Crimona*.

10 If the Inquisitor thinks it necessary to prevent the Escape of any Prisoners, he may lay them in Irons. If the Poverty of the Inquisitors is so great, or their Prisons so defective, as that they are not fit to hold in safe Custody, either for the Thinness of the Walls, or for want of Iron Bars to the Windows, or sufficient Bolts for the Doors, if the Magistrate be required by the Inquisitor, he must take Care of the safe Custody of the Prisoners, according to the Constitution of *Alexander IV.*

What the several Duties of the Messenger, Door-Keeper, and Physician are, is plain enough from their very Names. They must be honest Men, and not suspected, and born of old Christians.

Of the Expences of the INQUISITION, and Confiscation of Effects applied to this Use.

These Prisons cannot be built, nor Criminals be apprehended, nor maintained in Prison, without Expence. It was therefore necessary that some Law should determine how these Expences should be provided for. Besides, the Inquisitors, and all other Servants of the Inquisition, must have their Salaries paid them.

When the delegated Inquisition was first constituted, the Sentence concerning the Confiscation of Effects in the Dominions of the Church, was pronounced by the Ecclesiastical Judge; but in other Countries by Secular Princes. But, in a Course of Years, it was, without any Difference, provided that the declaratory Sentence concerning such Confiscation, should every where be passed by the Ecclesiastical Judge, who judges of the Crime; and farther, that the Execution of such Confiscation, viz. the Seizure of the Goods, should be made by the Ecclesiastical Judge, viz. by the Bishop or Inquisitor: *The Execution of such Confiscation, or the Seizure of the Effects themselves shall not be made by Princes, or other Temporal Lords, before the Sentence for such Crime shall have been published by the Bishop of the Place, or some other Ecclesiastical Person, who hath Power in this Affair.*

Whether Hereticks repent or not, whether they are converted before they are delivered to the Secular Court, or afterwards, their Effects are, *ipso facto*, confiscated. *The Goods of Hereticks, who offend more grievously, horribly, and detestably than others, we, with the Advice of our Brethren, decree to be, ipso jure, confiscated.* Neither doth it signify whether the Heretick hath persisted in his Heresy for a longer or shorter Time; because Heresy is not judged of by the Length of Time.

But if any voluntarily return to the Church; before they are accused or denounced, or if immediately after they are apprehended, they make a full and entire Confession of themselves and others, whom they know to be Hereticks; such who thus return with a pure Heart, before the Depositions of the Witnesses are published, are, as seems equitable, kindly excused from Imprisonment; and have also for the same Reason the Confiscation of their Effects remitted them. In *Italy* 'tis owing rather to Custom than to any Papal Constitution, that the Effects of penitent Hereticks are not sold. But in *Spain*, the Effects of Hereticks, though penitent, are confiscated, not only by the Papal, but Royal Laws.

But as to the Seizure and Application of such confiscated Effects, the Civil Law thus determines. *Whom also we pursue with the Publication of all their Effects.* However such Effects, published because of Heresy, were not condemned to the Treasury, if the Children of such Hereticks were Catholics; as is plain from the before-mentioned Law. *Neither do we permit their Children to become their Heirs, unless they forsake their Parents Wickedness.* But if none such are to be found, the Effects are all to be converted to the Treasury of the Secular Prince. This Method of Succession is prescribed, if the Fathers should be Catholics, and their Children Hereticks. Because heretical Children and Relations cannot succeed Catholic Parents, if the Father be a Clergyman, the Church shall inherit; if a Layman, his Estate shall go to the Treasury.

But as the Crime of Heresy is merely Ecclesiastical, they contend that the Ecclesiastical Laws, which order all Things relating to the Punishment of it, ought to prevail, and be every where observed. And therefore since the Confiscation of Effects is one of the Penalties ordained against Hereticks, they affirm, that what hath been ordained by the Ecclesiastical Papal Laws and Constitutions, ought to be observed by all that would approve their Obedience to the Church of *Rome*.

Pope *Innocent III.* in the Year of our Lord 1199 or 1200, and second Year of his Papacy, first ordained at the *Lateran*, April Cal. 8. by a decretal Epistle, directed to the Clergy, Consuls, and People of *Viterbo*, that the Effects of Hereticks should be confiscated, as had been determined by the Civil Laws, and that they should be applied to the Treasury of the Church in the Countries subject to her; and in other Dominions of the Empire, to the Treasury of the Secular Judge. And this he commands to be observed, although Hereticks should have Catholic Children, who by the Civil Law were allowed to succeed to their Parents Estates. The same Confiscation of Effects, a few Years after, viz.

Under Innocent IV. was decreed in the Clerical Council under Innocent IV. but with this Difference observed, between the Effects of heretical Laity and Clergy. So that the Goods of such condemned Persons, if they are Laicks, shall be confiscated; if of the Clergy, they shall be applied to the Churches, and not to the Clergy. From this and other Constitutions they infer, that if any Temporal Lord, in Favour of the Faith, actually doth these Things, or other Things equivalent, or greater, or of like Nature, to what the said Constitutions require, he ought to have a Third Part of the confiscated Effects; or more, if the Pope allows, and knowingly permits it. And therefore in Spain the Effects of such as are condemned for Heresy are rightly applied to the Royal Treasury; because the King hath not only the Care of constituting the Senate, which manages in the Royal Palace all the Causes of the whole Kingdom of Spain, relating to the Punishment of this Crime, and of which one of the principal Prelates is President; but also liberally supplies the Inquisitors, which the said Prelate appoints by the Papal Authority, and sends throughout the whole Kingdom to extirpate heretical Pravity, with all their Expences, and every Thing else necessary to their Office. But as in many Places the Temporal Lords do not grant the Inquisitors their Expences, nor submit to those Burthens and Labours, which Innocent, Alexander, and Clement IV. have commanded, *Pignus* doth not understand by what Right they can appropriate to themselves the third Part of such confiscated Effects; and therefore thinks that they ought all to be applied to promote and advance the Holy Office. Especially as the Inquisitors have now their proper Prisons, their necessary Attendance, and their own Notaries and Ministers, to the greatest Part of whom the Temporal Lords give neither Subsistence or Salary; and when desired, oftentimes refuse to do it. Yea, if the Inquisitor sometimes asks the Guards, Apparitors, or Soldiers of the Secular Lord, to execute any Affairs of the Faith, to take up Hereticks, or carry them to Prison, he will not suffer them to go, without first receiving the Satisfaction and agreed Price from the Inquisitors.

OF THE SALARIES OF THE INQUISITORS, and other OFFICERS.

Formerly, in France, the Expences and necessary Supports were given them out of the Royal Treasury, by the *Ballives*; who, in that Age, received the Returns of their several Districts, and had their Accounts audited in the Chamber of Accounts, as appears from those Accounts themselves.

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ELLEN. For some of them gave in an Account of the Expences of the
 Friars Inquisitors at Ascension Term, 1548. There is also extant in
 the Royal Chamber of Records, Register Book 36. Cap. 16. an Edict of
 Philip the Fair, by which they are commanded, not only to furnish
 the Inquisitors with necessary Provisions, but also to give them Assis-
 tance and Counsel in the Execution of the Office committed to them.
 In the Seneschall of Tholouse, and Carcassone, greeting. Ifeueas Priar
 William de Motverius, a Predicant, of whom we have received a favour-
 able Account, is, as is reported, newly deputed by the Apostolick Authority,
 Inquisitor in Tholouse, we command you, that ye cause to be given and
 ministered to him our Prison, situate in our Lords, for the Custody of Persons
 taken up for the Crime of Heresy: as also Maner for his Provision, and for
 executing his Office: and that you graunt him all Help, Favour and Counsel
 therein, as hath been hitherto granted to other Inquisitors, and as long as it
 shall be our Pleasure. And also to our Lord, to his amir and to our
 Lord James, King of Arragon, by a Law, thus commanded: Likewise also we
 will and command, that ye provide for the said Inquisitors, their Expenses,
 and pay all their Charges they shall be at upon Account of the said Inquisi-
 tion, as well for Horses as for other Matters, as they shall give in their Ac-
 counts of them, as often as you shall be required by them, on any one of them.
 VII. Italy and other places, where the Inquisitors are poor, the Com-
 mon-wealths must maintain them in the Places where they live, as is pro-
 vided by many Rescripts of former Popes: and particularly by a Rescript
 of Innocent IV. 'Tis also the Duty of the Cross-bearers to support the
 Inquisitors with their Estates, to which they have oblig'd themselves by
 Vow. In Spain all these Things are determined by certain Laws. As to the
 Expences relating to the Criminal under Inquisition, the Madrid Instruc-
 tion, Anno 1561. hath thus determined: Let so much Money be taken out
 of the sequestred Effects of the Delinquent, as is necessary to carry him to
 Prison, and six or eight Pieces of Gold more for his own Support: nor shall
 any more Expences be allow'd him than are necessary for him, and the Car-
 tle that are to carry him, and the Bed on which he is to sleep. If there be
 no ready Money in the sequestred Effects, such of them however as are less
 necessary shall be sold to bring in the said Quantity. The Executor of this
 Affair shall take Care to write down what he orders at the Bottom of the re-
 gister'd Effects, and what remains shall be assigned over to the Dispensator
 of the Prison, in the Presence of the Attorney of the Sequestration. And
 the Inquisitors shall be certified as to the whole Affair.

In

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In many Inquisitions this exact Order is not observ'd, either through Poverty, or for other Reasons; in which Case every one abides by the received Custom of his Inquisition.

In Spain there are fixed Salaries for the Inquisitors, and other Ministers of the holy Office, which are paid them at stated Times out of the forfeited Effects, according to the Quantity and Order describ'd by *Simancas*.

"The Salaries must be paid to the Inquisitors and Officers by the Commonwealth, which they serve with great Labour, but greater Profit. Every Inquisitor hath annually allow'd sixty thousand, which now is increas'd to an hundred thousand Places, every one of which is worth two of those Brass Pieces of Money, which they commonly call *Albi*. The Judges of the forfeited Effects have each of them thirty thousand. The Promotor Fiscal as many. The Scribe or Notary the same. The Executor sixty thousand. The Receiver as many. The Messenger twenty thousand. The Door-keeper ten thousand. The Physician five thousand. These Salaries may be increas'd at the Pleasure of the Inquisitor-General, and are to be paid by the Receiver at the fixed Times, which if he neglects to do, he may be deprived of his Office by the Inquisitors.

"All these Salaries are paid out of the forfeited Effects. A third Part is to be paid in the Beginning of every fourth Month, and they then begin to be due, when the Judges and Ministers go from their Houses to manage the Affairs of this Holy Inquisition. But if they die before the four Months are compleat, their Salaries shall be paid, and go to their Heirs.

"The Assessors and Counsellors have no Stipend, but must give their Advice gratis, when the Inquisitors desire it, as some Lawyers affirm; and though they may receive a Salary freely offer'd them, yet they can not demand it, because all Christians are bound to support and defend the Affair of the Catholick Faith. However, these Assessors, who are the Eyes of the Judges in every Cause, even though it be Spiritual, justly receive a Salary for their Service and Labour. For many Things are justly received, which it would be Impiety to demand.

"Those Advocates who defend the Causes of the Poor, have a Stipend out of the Treasury, which is usually very small, tho' honourable. But if the Criminals are not poor, the Advocates are paid out of their Effects. It is also provided in Spain, by many Constitutions, that Inquisitors who receive Gifts, incur the Sentence of Excommunication, and are deprived

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prived of their Office, and fined double the Value of what they take. This holds if they take Gifts from their Officials. 'Tis ordain'd also, by the same Instructions, That all the Officers shall be content with their Stipends, and receive no Gifts, not so much as any thing to drink or eat. And if any one is convicted of doing it, he is deprived of his Office, must pay double the Sum, incurs the Sentence of Excommunication, and is fined ten thousand Pieces. If any one of the Officers knows of any such Thing, and doth not discover it to the Inquisitors, he must suffer the same Punishment. The Words of the Instruction, Anno 1484, Cap. i. are these: *They have likewise decreed, that the Inquisitors and Assessors of the Inquisition, and other their Officials, such as Advocates, Fiscal, Executors, Notaries, and Door-keepers, shall receive no Gifts or Money from any Persons whatsoever, which the said Inquisition doth or may lay hold of, nor from any other Persons appointed by them. And the Inquisitor General shall command them not to receive any Thing, under Pain of Excommunication, Deprivation of Offices, which they hold from the Holy Inquisition, and returning double of what they take.*

But Paramus doth not interpret this Constitution, so as to make the Inquisitors, who are criminal in this Respect, actually incur Excommunication, and Deprivation of Office, but only so as to make them liable to this Punishment from the Inquisitor General. He also believes, if it be a small Matter, the Inquisitors may take it when voluntarily offered to them. But his Judgment that they would do better to take nothing at all, neither from the Criminals, which looks very suspicious, nor from their Relations or Friends, or any other Persons whatsoever.

Every Minister of the Inquisition is also forbidden to concern himself in any Traffic, either by himself or other Persons. If any one doth, he is deprived of his Office, and fined twenty thousand Pieces. If any one doth not discover this, he is excommunicated.

The Inquisitors, Ministers, and Receivers, are also forbidden to buy any Thing of the confiscated Effects, although they are publicly sold. If any one doth buy any of them, though openly and honestly, he nevertheless incurs the Sentence of Excommunication, and is fined in an hundred Pieces of Gold.

However, as the Author of the History of the Inquisition at Goa informs us, the Inquisitors know how to amass vast Riches, by two Methods. When the Effects of the Prisoners, after Confession, are sold by the Crier, the Inquisitors, notwithstanding this Interdict, usually send one of their Domesticks, who bid a low Price for such Things as their Masters

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Masters want, being pretty secure that no Body else will out-bid them; and, by this Means, they buy every valuable Things for half Price, or less. Besides this, the Inquisitors have a Right to demand the Payment of the Expences, and other necessary Charges they have been at, when, and in what Sums they please, whenever the Money arising from the Confiscations is carried into the Royal Treasury; without ever giving any Reason, or any one's daring to ask them for what Purposes they employ them.

Gonsalvius Montanus also tells us, in his Arts of the *Spanish Inquisition*, *Cap. 10.* That the Inquisitors are sometimes prevailed with to use their Prisoners a little more kindly, by some pretty Presents made by their Friends and Relations. But this Matter must be dextrously managed, that so the Inquisitor may not refuse the Offer. The first Thing therefore is, to bribe one of his Servants, in which there is no Difficulty, provided it be done privately. When the Inquisitors themselves are tampered with, they generally answer, That Holy Tribunal is incorrupt, and suffers no manner of Gifts whatsoever to be received. But they have generally, amongst their Attendance, some Child of their Brother or Sister, or, at least, a Servant that they greatly esteem, and who is to be highly respected, and who only sees the Inquisitor refuse the Presents offered to him. This Servant comes to the Prisoner's Friend, and privately points out to him the Relation of the Lord Inquisitor. This is giving him to understand, unless the Person be a Stock, that, though before he in vain attempted to corrupt the Integrity of this Holy Tribunal, he may, by this Conveyance, prevail upon the Inquisitor, though he would refuse to accept the same Present, when more openly offered him.



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CHAP. IX.

Of the Crimes cognizable by this Court.

As there are many Offences, and pretended Offences, which, at this Time, fall under the Jurisdiction of the Inquisition, I will speak of them under their proper Titles, to avoid Repetitions.

First, Of HERETICKS and their Punishments, Ecclesiastical and Civil.

Three Things are required to make any one truly and properly an Heretick. *First*, That he hath professed the Catholick Faith, i. e. hath been baptized. *Secondly*, That he err in his Understanding in Matters relating to the Faith. What these Things are, the Papists enquire; but they are reduced at last to this, that all Points determined by a General Council, or the Pope, as necessary to be believed, or enjoined as an Apostolick Tradition, are Matters of Faith. And this is said to make a Man an Heretick initially, and as to his Disposition. The *Third* is Obstinacy of Will. This is discovered two ways. The first is, when any one is called before a Judge of the Faith, and by him informed that the Opinion he holds is contrary to an Article of Faith, or contrary to the Determination of the Church made concerning the Faith, and yet nevertheless persists in his Error. The other is, when any Person, after the Discovery of his Error, will not renounce it at the Command of a Judge of the Faith, by abjuring it, and giving suitable Satisfaction.

This Crime is so widely extended by the Doctors of the Church of Rome, that they esteem as Heresy every Thing that is contrary to any received Opinion in the Church, although it be merely Philosophical, and hath no Foundation in the sacred Scripture.

The Punishments ordained against Hereticks are many, and most grievous, because the Church of Rome holds Heresy to be a much more heinous Crime than any other. These Punishments are divided by some into Ecclesiastical and Civil. Others say that some Punishments are inflicted by Men. *First*, the Church comprehends, and particularly specifies all of them, under this threefold Division. Of human Punishments ordained against Hereticks, some are Ecclesiastical or Canonical, which the sacred Canons have appointed; such as Excommunication, Deprivation of Ecclesiastical Burial, Dignities, Benefices, and Ecclesiastical

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cal Offices. Some are Civil, which the Civil Laws have enacted; such as the depriving Men of the Privileges and Benefits of Law, pecuniary Mulcts, Banishment, Death, and the Bann. Some are mixed, ordained both by the Sacred Canons, and the Imperial Laws; such as Confiscation of Goods, absolving Subjects from their Allegiance, Infamy, and the Ecclesiastical Interdict. I chuse rather to distinguish Punishments only into Ecclesiastical and Civil. By Ecclesiastical, I mean those which are inflicted on any one considered as a Member of the Church, and which are supposed to derive on him some Spiritual Evil. By Civil, I understand such Punishments as refer to the Body or Estate of any one, and are inflicted on him as a Member of Civil Society, whether they are appointed by the Civil or Canon Law, or by both.

The first Punishment ordained against Hereticks by the Canon Law, is Excommunication. This was in use amongst the Christians in former Times. For ever since that Councils were held for the Extirpation of Heresy, the Custom of excommunicating Hereticks was introduced. By this Excommunication Hereticks were driven from the Sacraments, deprived of the common Suffrages of the Church, and expelled the Company of the Pious and Faithful.

The Ceremony of Excommunication is thus: When the Bishop pronounces the Anathema, twelve Priests must stand round him, and hold lighted Candles in their Hands, which they must throw down on the Ground, and tread under their Feet at the Conclusion of the Anathema, or Excommunication. Then a Letter is sent about to the Parishes, containing the Names of the excommunicated Persons, and the Reason of their Sentence.

An Interdict is a general Excommunication, pronounced against a Province, a Town, or a City.

“ An Ecclesiastical Interdict, says *Brunus*, is one of the principal Ecclesiastical Censures, as it *forbids* a Person all Divine Services; which is it self the greatest Punishment, as it deprives a Man of the Benefit of Divine Services and Sacraments, and affects the Soul, even as a Civil Interdict doth the Body. It is pronounced sometimes against a Person, *viz.* a Community or Chapter. Sometimes against a Place, *viz.* a Church or City. And there is this Difference: When a Community is interdicted, the Clergy may perform Divine Service with a loud Voice, the Gates being shut, and the Bells rung, provided the excommunicate and interdicted Persons be excluded, which they can’t do in an interdicted Place. Farther, when a Community is put under

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“ an Interdict, we are not to understand it of the Community as a Body,
 “ but of some particular interdicted Persons; because the Matter of the
 “ Interdict is proportioned not to the Body, but the several Members.
 “ And yet an Interdict may be pronounced against the whole Community,
 “ as a Punishment of the Crime of the Governors of the University, or
 “ Body; in which case both the Guilty and Innocent are subject to
 “ the Ecclesiastical Interdict, especially those who were present, and
 “ knew the Faults of the Governors, without opposing them. In this
 “ Case the Truth is, that all the Citizens, even the Ignorant and Inno-
 “ cent, are included in the Interdict.

This Excommunication infers other Punishments. For if an Heretick excommunicated hath any spiritual Jurisdiction, he forfeits it, nor can he validly perform those Acts which require Jurisdiction, because as this is given by the Church, the Church may resume it. Hence all Things that are done by a Priest or Bishop, without Permission, are null, for the want of Jurisdiction. All Absolutions, Censures, Sentences, Punishments, done by him, are void. Thus it is said, that an excommunicated Person cannot excommunicate, and that they are not to be look'd on as excommunicate, who are excommunicated by Hereticks. Yet they so far retain the Powers belonging to their Order, that they may validly do an Act which doth not require Jurisdiction, tho' not lawfully, because they sin in doing it; and they give this Reason, because the Power of any Order consists in an indelible Character. Hence they infer, that he who hath once legally received this Power, must always keep it, and that therefore he may validly do an act, which doth not require Jurisdiction, provided the due Matter, Form and Intention be preserved, because such a Power hath its Force from the Institution of Christ, which the Church cannot take away.

Finally, Hereticks are deprived of all Ecclesiastical Benefices and Dignities. But there is this Difference between Hereticks, and their Favourers, Receivers and Defenders. Hereticks are *ipso jure* deprived of their Ecclesiastical Benefices, from the Day of their committing their Crime, by a Rescript of *Pius V.* in which he reserves all Benefices, of whatsoever sort, and where-ever they are, vacant for the Crime of Heresy committed by any one, to the Nomination and Appointment of the Apostolick See; whereas the Receivers, Favourers, and Defenders of Hereticks are not *ipso jure* deprived of their Benefices, but must be deprived by Sentence.

Amongst

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Amongst the Ecclesiastical Punishments is also reckoned, that no Offering is to be made for those who die in Heresy, nor are they to receive Christian Burial.

Political Punishments appointed by the Canon and Civil Laws against Hereticks, are various.

The first is what is commonly called, the Confiscation of their Goods.

“ This Confiscation of Effects, *Lewis a Parama* derives from the Example of God, who, not contented with the Sentence of Death pronounced against our first Parents, drove Man from the Place of his Delights, stript of all his Goods, wounded in Naturals, and spoil'd of those Gifts that had been freely granted him, his original Integrity especially being irreparably lost, and adjudged him to hard and continual Labours, and, out of his Hatred to so great a Wickedness, commanded the very Earth to bring forth Briars and Thorns. This Example, he saith, the most holy Tribunal of the Inquisition follows, confiscating by a just Proscription the Goods of Hereticks, and depriving them of all their Effects and Fortunes. Neither ought this Instance to be accounted Foreign from the Case. For altho' the Confiscation of Effects doth not regularly take Place as to all other Crimes, tho' very heinous, nevertheless God, the first of the Inquisitors, that in this detestable Crime of Heresy he might give an Example to other delegated Inquisitors, deprived our Parents of all their Effects, of the Possession of their earthly Paradise, the Use of all the Fruits of it, and their Dominion over all the Creatures; for they did not only after this not obey our first Parents, but became Enemies to them. He also deprived their Children and Successors of these Goods, &c. and this irrevokably. Nor can any one ever more come to such a Place.”

This Law is of great Use in the Tribunal of the Inquisition, and extremely hard and severe upon the Criminals, their Relations and Heirs. For hence it is, that because the Goods of Hereticks are *ipso jure* confiscate, they become forfeited from the very Day of their Crime, so that all Donations by Hereticks, altho' secretly made, are null and void. Even Portions given to Daughters, to support the Burthens of Matrimony, tho' it be the Duty of a Father to portion them out, or given to such as have taken on them the holy Vow of a Monastick Life, are to be revoked and confiscate. *Zanchius* gives this Reason, *Cap. 27*. Because his Goods are confiscate from the very Day of his committing the Crime, and therefore he can have no Right of Administration. But as for the Goods of

of such, who can't purge themselves, or are condemned for Contumacy, they are not forfeited but from the Day they are presumed to be Hereticks, not from the Day that the Witnesses declare them to have been Hereticks.

If any one gives a Legacy upon account of Death, and falls into Heresy, and his Goods become confiscate, the Legacy shall be recovered as void, and belongs to the Treasury equally with all the other Goods of the Heretick. If an Husband bequeaths any Thing to his Wife, and his Memory be condemned for Heresy after his Death, such Donation shall be revoked, altho' his Legacies to others shall stand good. If any Thing be owing to an Heretick by a conditional Contract, it belongs to the Treasury under that Condition, who must perform it, if they conveniently can. All the Goods of a Wife condemned for Heresy and Impiety are forfeited, whether they be her Dowry, or any Thing besides, which she brought to her Husband, or such Donations as the Spaniards call *Arrbae*, (*Arrbae* are the Presents given to any Women upon their being betrothed;) or such Profits as belong to Wives by the Royal Laws. But the Husband hath all his Actions good against the Treasury. In like manner the Goods of an heretical Son gotten in War are confiscated, because that is the Son's private Property, in which the Father hath no Right. If he shall happen to have sold any of his Goods, and the Money be in his Possession, or any Thing equivalent, let it be restored to the Orthodox Buyer; but if it be consumed, it shall not be restored.

Hence it is, that in every Sentence, the Time of the Person's falling into Heresy is particularly expressed, and these or the like Words inserted in it, *And by this our Sentence we declare, That all and singular his Goods were brought into our Treasury from the said Time of committing the Crime; we do solemnly declare all and every of them to be confiscated to the Treasury of the Church of Rome, and our Office of the Inquisition.*

A Person however must be declared an Heretick by the Judge, before his Goods are actually confiscate.

This Confiscation of Goods is so rigidly insisted on, that there is no possible way of evading it, no not by the Alienation of a Man's Effects. The Treasury of the Inquisition devours all.

But in our own Time the Spanish Inquisitors are endeavouring to extend their Power and Jurisdiction further, and under the Pretence of Confiscation of Goods, to seize on theirs also, who have any Commerce with the Spaniards, though they live in other Countries not subject to them, and have separated from the Communion of the Church of Rome, because they have in their Possession some of the Effects of those who are in the Prison

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Prison of the Inquisition, or condemned by the Inquisitors, according to the daily Practice of Traders and Merchants. Of this the Inquisition of *Madrid* gave a remarkable Instance a few Years ago. *Feb. 1687.* Many Persons were thrown into the Inquisition at *Madrid*, accused of being concealed *Jews*. Amongst these were *Diego* and *Anthony Daiz*, and *Don Damianus de Lucena*. About the End of *August 1688.* Sentence was pronounced against them, by which all their Effects were confiscated, and they themselves sent to *Toledo*, there to perform wholesome Penance. These Persons traded with *Peter Poulle*, a Merchant of *Amsterdam*, who was neither a *Jew* nor a *Spaniard*, but a Christian, and a *Dutchman*, who had in his Hands several of the Effects of these *Spaniards*. The Inquisition, in order to possess themselves of those Effects, which were not subject to their Power, discovered by private Enquiry, that this *Dutch* Merchant traded with several *Spanish* Merchants, and that he had a great many Effects in their Hands, and therefore ordered them all to be seized by the Receiver of the forfeited Goods, till they had the Value of those Effects, which the *Amsterdam* Merchant had in his Custody; and gave this Reason for the forcible Seizure, that the imprisoned Persons had a Claim upon the Estate of the *Dutchman*, and that their Claim was devolved upon the Inquisition, and that therefore they had the same Right as the Prisoners themselves to attach the others Effects, where-ever they could be found in *Spain*: However, this Endeavour was in vain, because no Confiscation can be just, of such Effects which are in the Possession of another Person, who lives out of the Territories of the Judge, and is not subject to his Jurisdiction; and therefore the Lords of the United Provinces, at the Information and Request of the *Amsterdam* Merchant, obtained that those Effects should be restored them.

The Punishment of Confiscation is inflicted upon all who are convicted of Heresy, or confess, whether they repent, or persist in their Heresy; because they are declared to incur the Punishment, *ipso jure*, as soon as they fall into Heresy.

But if any return of their own Accord to the Church, before they are accused or denounced, or immediately after their being seized, give a full and genuine Confession of themselves, and of all others whom they know to be Hereticks, and who return with a pure Heart, before the Depositions of the Witnesses are made publick, as they may be graciously saved from Imprisonment, so, for the same Reason, it seems equitable, not to confiscate their Goods. In *Italy* 'tis rather owing to Custom, than to any Right given by the Popes, not to confiscate the Estates of penitent Hereticks.

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Hereticks. But in Spain this Confiscation of the Effects of Hereticks takes place, even though they are penitent, by the Papal Authority, and the Laws of their own Kings; for there they believe that the Inquisition ought not to restore the forfeited Goods, even of Penitents, to the Damage of the Treasury, when once it hath a Right to confiscate them.

But if any return to the Church within the Time fixed by the Inquisitors, the Catholick Kings have ordained, that they may recover and dispose of their own Effects, as though they had never fallen into Heresy, except they attempt to alienate their immoveable Effects; for this they are prohibited to do, without a Decree of the Prince, lest they should dispose of all their Effects, and fly over to the Enemies of the Catholick Religion.

But whereas the Children of the condemned Persons are, by this Punishment, reduced to the extreamest Want, being thus stripped of every Thing that belonged to their Fathers, to make it appear that they don't wholly abandon the Care of them, 'tis order'd, that the Inquisitors, out of the Dictates of Mercy, may make some Provision for the poor Children of condemned Hereticks, according to their respective Sexes and Ages. Lusty Boys they order out to some mechanick Trade. The Girls they put to Service to some honest Matrons of the City, that they may be instructed in the Faith. As for those who can't work, either through their Age, or bad Health, their Pity reaches no farther than to give them a mere Subsistence out of their Fathers Effects, sometimes intreating the Ecclesiastical and Secular Princes to exercise a little Liberality towards them; which they especially ought to do, who receive these forfeited Effects. In relation to which, 'tis thus provided in the *Seville Instruct.* Cap. 22. *Anno 1484.* *In like manner they have decreed, that if there be any unmarried Sons or Daughters of Persons delivered over to the Secular Court, or condemned to perpetual Imprisonment for their Crimes, the Inquisitors shall provide and order, that the aforesaid Orphans shall be recommended to some honest Persons, and Catholick Christians, to be bred up, and diet with them, and to be instructed in the Catholick Faith; and let them draw up an humble Petition for the aforesaid Orphans, in reference to their Condition, what they want, and whether they are good Christians, especially for the poor Girls, that they may either marry, or profess.* In our own Time they leave nothing for the Children of Hereticks, though they prove Catholicks, no not so much as seems due to them by the Law of Nature.

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The next Punishment that follows this Confiscation of Goods is the disinheriting the Children; inasmuch that though they are Catholics, they can never inherit the Estates of their Fathers who died in Heresy. *Zanchinus* adds, that the Children of Hereticks are incapable of inheriting to any of their Kin, or to other Persons, whether they die with a Will or intestate. *John Rojas* adds, that the Children of Hereticks, though born before the Commission of the Crime, are comprehended under the canonical Penalties and Prohibitions, and says this is the common Opinion of the Doctors. The Reason is, because Heresy is a spiritual Crime, and does not derive its Original from the Flesh; and therefore it signifies nothing whether the Children be of the infected Root or not. But if a Son accuses his heretical Father, as his Reward, he is freed from the Penalties ordained against the Children of Hereticks, according to the Law of the Emperor *Frederick*. *We don't exclude from the Bounds of our Mercy such who, far from following the Heresy of their Fathers, shall discover their Wickedness; so that to whatever Punishment the Fathers shall be subjected, let their innocent Children be freed from it.*

The third Punishment is, their being render'd infamous. *Capo Eccomunicamus, §. 1. Credentes de heret.* There, amongst other Things, 'tis said, *Let him be ipso jure infamous; let him not be admitted to any publick Offices, or Counsels, nor to chuse any into them, nor to bear Witness; let him also be intestate, so that he can have no Power to make a Will, or to inherit by Virtue of one.* Furthermore, let no one be forced to answer him upon any Affair, but let him be forced to answer others. If he should happen to be a Judge, let his Sentence be void, and no Cause be retried or his Hearing. If he be an Advocate, let him not be admitted to plead, nor if a Notary, let no Instruments drawn by him be valid. But *condemned with their condemned Author.* And in all like Cases, let commandments be made to be observed.

The fourth Punishment is, that they are deprived of all Dominion, natural, civil, and that which is introduced by the Law of Nations. First, they are deprived of that natural Power they have over their Children. Being thus deprived of the natural Power of Parents, they lose all Authority over their Children, who, becoming as it were Strangers and Foreigners from their Fathers Family, are under no Obligation to obey them as before. This Crime of Heresy in the Father, even before his declared by the Church, frees the Son from his Father's Power.

Farther, they are deprived of that civil Power which they have over their Servants, and of that political Power which they have over others.

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others subject to them: So that Slaves, Freed-men, and Servants, are
 180 *shall* freed from Servitude, and every Instance of Duty, the Moment
 their Master falls into Heresy. In Spain, all the Slaves are Believers, or
 profess the Christian Religion; when their Master falls into Heresy, they
 recover their Freedom, according to the *Sevilla Institution*, Anno 1484,
 cap. 10. *Qui cum Rege et Rege, seu de his Goodis and Clero*
 185 *et will and ordain, that the Servants of all Hereticks shall be made free,*
provided that if whilst they lived with them they were Christians. But if
 they had not professed the Christian Religion, they are forfeited with the
 other Effects. And though such Slaves should have been made free by
 their Masters, yet if it was after their becoming Hereticks, it is for that
 Reason null and void. *as is said as before in the Institution and follows not*
 190 *with Subjects, when the Prince or Magistrate is an Heretick, are freed from*
their Obedience. Thus it hath often happened, that Kings pronounced
 Hereticks by the Pope, have, with all their Posterity, been deprived of
 all their Dignities, Jurisdictions, and Rights; their Subjects absolved from
 their Oaths of Allegiance and Fidelity, and their Dominions given to a
 195 *Princ or others.* And finally, they are deprived of that Power, which is introduced by
 the Law of Nations, whereby they lose all Property in every Thing they
 have. These Things are thus inferred: First, if an Heretick deposits
 200 *any of his Effects with any Person, such Person is not obliged to re-*
stitute them to the Heretick, after his Heresy is manifest, but to the
Authority. Farther, a Catholick Wife is not obliged to any Duty to her
 205 *heretical Husband, because by the Husband's Heresy, she is freed*
from her Duty. In like manner a Catholick Husband is freed from
 210 *all Duty to his Wife, if she be an Heretick.* Nevertheless, they can't
 215 *separate with others, because the Band of Matrimony is not dissolved.*
 "An Husband can't be forced to cohabit with his Wife if she is fallen into
 220 *Heresy, even though she is reconciled; nor is he bound to maintain*
her, because her Dowry is confiscated by Heresy; and as she is stripped
of her Dowry by her own Fault, the Husband is not obliged to main-
 225 *tain and undownd Wife.* *Donatus Ugolino* explains this Matter more
 230 *plangely.* The very Children, Brothers, and Sisters of Hereticks, ought
 235 *to forsake them; yea, the very Band of Matrimony with such is dissol-*
ved. For if any one departs from the Orthodox Faith, and falls into
 240 *Heresy, his Wife is not obliged to cohabit with him, but may seek to*
 245 *be separated from him by the Judgment of the Church; such Separa-*
 250 *tion of the Bed being a reasonable upon account of spiritual Fornica-*
 255 *tion,*

tion, as for carnal. And if any Heretick shall, after his Fall, return to the Unity of the Church, the other married Person shall be obliged to return to him, if they were not before parted by the Sentence of the Church. But if they were parted by Sentence, it shall be at the Option of the other Party who continued in the Faith, whether to return, or become Religious; because such Party can't remain in the World, and take another, during the Life of the Party converted, because made whole by Penance.

Moreover, the Governors of Ports and Castles, of People or Cities, are not obliged to restore them to their Heretick Lord, nor to keep them in his Name. Finally, all Vassals whatsoever are *ipso jure* freed from every Obligation to their Lords, though such Obligations shall have been confirmed by an Oath.

Hence proceeds the Maxim, that Faith is not to be kept with Hereticks, which some are not afraid openly to teach; although those who are more wise, in Germany, France, and the Low Countries, endeavour to wipe off this Spot from their Church. But the Spaniards, though they can't be daily charged with this Perfidiousness, because they have none whom they call Hereticks living amongst them, yet assert it in plain and open Words, without dissimbling, and are not ashamed to defend and confirm it by the Practice of the Council of Combrance. See, amongst others, *Simancas Cathol. Instit. Tit. 46. §. 52, 53, 54*.

This then is one Part of the Punishment of Hereticks, and what tends to render them more odious, that Faith is not to be kept with them. For if it is not to be kept with Tyrants, Pirates, and other publick Robbers, because they kill the Body, much less is it to be kept with obstinate Hereticks, who destroy the Soul. And therefore certain Hereticks were most justly burnt by the same Decree of the Council of Combrance, though they had the Promise of Security. St. Thomas also is of Opinion, that an intractable Heretick is to be betray'd to his Judges, notwithstanding a Catholic may have given his Faith, and bound himself by an Oath to the contrary. Add to this, that the Catholics ought to have no Commerce, nor enter into Peace with Hereticks; and therefore notwithstanding the Faith given to them, and confirmed by an Oath, it is not to be kept, because against the publick Good, the Salvation of Souls, and contrary to the Laws of God and Man. But if Faith be given to Hereticks by a Prince, or any publick Power, it is to be exactly preserved, excepting only in those Things which the inspired or natural Law forbids the Performance of.

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To the same Purpose speaks *Brunus*, although many now endeavour to disguise this Villany. No Peace can, at this Day, be confirmed with Hereticks, who spread their impious Doctrine amongst the Christian People by their wicked Preaching, if made on this Condition, that they must not be offended. Yea, so much the more to be abhorred and abominated is Peace made with Hereticks and Schismatics upon this Condition, that such as offend them shall be condemned for Breach of the Peace. For how can Peace be broken by offending them, with whom no Christian Man ought to have Communion; and whom they ought not to bid God speed? Such may safely be offended, who, by the Civil Laws, are put under the Imperial Ban, who are permitted to have no Liberty of meeting or abiding on the *Roman* Ground, or indeed in any Place, wherein they may injure the very Elements themselves; and finally, who by all Laws, human and divine, deserve to be extinguished.

The *Papists* teach, that no Covenants, Conventions, or Laws, are firm, that permit Hereticks to have or reform Churches, or to possess or administer their Revenues; or by which the Proceedings of Churches against Hereticks or Schismatics, that are or may be moved in Judgment, are wholly put off, or suspended for a Time, or for ever, or finally, by which Hereticks and Schismatics are permitted to exercise any Jurisdiction or Administration, either by themselves or with Catholics, or to enjoy any publick Office.

Moreover, all Places of Refuge, which are open to Malefactors and the worst of Villains, are denied to Hereticks, as though they were the very Off-scouring of the Earth, and had put off the very human Nature at the same Time they did the *Ramish* Religion.

Finally, they teach, that heretical Kings are to be deprived of their Kingdoms for Heresy. Thus *Simancas*: "It is enquired, whether the Kingdoms of an heretical King, who hath no Superior, can be confiscated? The Reason of the Doubt arises from this, because the Goods of Hereticks are forfeited to the superior Lord. And therefore *Alphonfus Castrensis* is of Opinion, That such Kingdom belongs to the Catholic Son of an heretical King, in the same Manner as it would if the Heretick were dead. But if the Son and next of Kin be also Heretick, a Catholic Kingdom may choose themselves an Orthodox King. But if the Kingdom be heretical, the Election of a Catholic King belongs to the chief Pontiff." This Opinion is not displeasing to *Simancas*, though he adds, that it may justly be seized on by the Catholics.

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The fifth Punishment is Imprisonment. For altho' by the Civil Law the Prison is only to detain Men, yet by the Canon Law it may be used as a Punishment. So that an Heretick either confessed or convicted, may either be delivered to the secular Court, or condemned to perpetual Imprisonment. In which Case the condemned Person shall be punished at the Option of the Judge.

The sixth Punishment is the Bann and Diffidation *. The Bann is that Sentence, by which any Person is cast out of the Commonwealth; so that he can't enjoy the publick Protection, or discharge any publick Offices, or receive any Benefit of Law, and hath some Likeness with Excommunication. For as by Excommunication a Person is cast out from the Converse of the Faithful, so by the Bann he is excluded from the common Good. Diffidation declares Hereticks to be Enemies of their Country and the Empire. Its Effect is this: When any one is declared an Heretick by the Sentence of the Judge, any Man, by his own private Authority, may seize, plunder, and kill him, as an Enemy or Robber, even tho' he be a Clergyman. He may be capitally punish'd as a Defector, and attacked with Impunity wherever he is found. That Hereticks may be thus seized on, and plundered, by the private Authority of any Man, Innocent IV. openly determines by a Rescript.

But if an whole City or Community favours and defends Heresies, or nourishes Schism against the Catholick Church, let it be outlawed, and put under the Imperial Bann. The Consequence of this will be, that a City thus banned and outlawed will become an Enemy of the Empire, and all its Citizens, as Enemies, may be with Impunity hurt in their Persons and Goods, and be all of them expelled, by the Prince, from such Cities where they dwell. Such a City may be also subject to such a Punishment as is proportionable to Death itself, i. e. by the Civil Law it may be razed from its very Foundations, and by the Canon Law burnt to Ashes. This Punishment the Canonists derive from *Deut. xiii.* where the *Israelites* are commanded to burn that City which should serve other Gods, and destroy it utterly, and all that is therein, and the Cattle thereof with the Edge of the Sword. And there are some who think this is allowed to every one, and that the Church hath granted Authority to all to exterminate Hereticks; tho' others are of Opinion this can't be done but by the Authority and Command of their Superiors; which Opinion, according to *Bruno*, is the safest, if not more agreeable to Law, as *Do-*

* Diffidare is properly to withdraw by Letters or Writing that Protection, which one owes to another, or which is promised him.

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which apprehended it was. But the most necessary thing of all is, that no injury be done to heretical Universities or Communities, before they are pronounced guilty of this Crime by a declared Sentence. But if Hereticks are apprehended, 'tis not lawful for any one to undertake their Defence. All Advocates or Notaries, who give Assistance or Favour to Hereticks or their Abettors, or who plead for them when under Examination, or draw any Instruments for them, are pronounced infamous, and suspended from their Office.

The last Punishment of Hereticks is that of Death; and that not the common end, but the most terrible that can be inflicted, viz. to be burnt alive. This they infer from a King's xxiii. where Oziar commanded the Bones of the heretical Priests to be burnt; and from the Words of our Lord, *John xv. 6. If a Man abide not in me, he is cast forth as a Branch, and is withered, and Men gather them, and cast them into the Fire, and they are burnt.* Here Brunus observes, some think that this Punishment was introduced only by Custom, and can be proved by no other Right, whether divine or human. This is his Opinion; For, says he, this Punishment can't be inferred from that Passage of the Gospel, of throwing the Branch into the Fire. For this speaks of the eternal Fire of Hell, and not of the temporary Punishment of Fire. Nor do the Civil Laws provide this Punishment. For tho' they fix that Punishment against Hereticks, which we call Death, yet they don't express this kind of Death, viz. the Punishment of Fire; which undoubtedly the Legislators would have done, if they had determined to appoint it against Hereticks; especially as the Punishment is so terrible, that they expressly mention it, when ever they think the Heinousness of the Crime deserves it; as may be made appear from other Constitutions, where this Punishment is particularly specified. However Ludovicus a Paramo finds out this Punishment of Fire in many Places of the New Testament. "James and John thought that the Samaritans, who would not receive our Lord, should be destroyed with Fire from Heaven, according to St. Luke chap. ix. See here now the Punishment of Hereticks, viz. Fire. For the Samaritans were the Hereticks of those Times, Mat. xxiii. and xxiii. Mat. xxiii. and Luke xx. Christ adds three Parables. One of the two Sons of the Vineyard let out to Husbandmen: The third of the Nuptial Feast prepared for those who were invited. By these the plainly shews, that the Kingdom was to be taken away from the heretical Jews, and their City to be burnt with Fire. See here now the very Confiscation of Effects, and Fire, with which Hereticks are punished." "nished."

"finished." Nor is this Reasoning to be wondered at in a Man, who every where in the Old and New Testament, and even in Paradise itself, finds out an Inquisition against Hereticks, and endeavours to prove by many Arguments, that God himself exercised the Office of Inquisitor of heretical Pravity against Adam in Paradise. The first who ordained this Punishment of burning Hereticks, after it had been some time in use in the Church of Rome, was Frederick II. by a Law which begins, *Inconfutabilem*. §. 4. which says: By the Tenor of this present Law, we decree, that the Pintarener, and all other Hereticks whatsoever, being condemned, shall suffer that Death which they affect, and that being committed to the Flames, they shall be burnt alive in the View of all Men. And by this Law it is so that Hereticks must be punished with Fire, and if that can't be done, they must at least be banished and expelled, and their Effects forfeited; agreeable to the Laws of the old Gothic Kings in Spain, by which the Goods of Hereticks were confiscated, and they themselves deprived of Honour and Dignities, and banished for ever. And this Punishment of Fire only Hereticks relapsed, obstinate, and impenitent are punished, who, after Sentence, are delivered over to the secular Judge, who was bound immediately to condemn them, and send them to the Fire. The Obstinate were to be burnt alive, others to be first strangled, and then burnt.

Sometimes this Punishment of Burning is heightened by another kind of Cruelty. In Spain and the Netherlands, lest they should speak to the Spectators when brought to the Stake, and proudly testify their Constancy, they were gagged with an Iron Instrument, so that in the Midst of their Torments they could utter only an inarticulate Sound. Thus also Simonides pronounces, That obstinate Hereticks should be burnt alive, and be brought to the Stake gagged, that they may not offend the little ones. This Muzzle or Gage the Spaniards, in their Language call *Mordaza*. And if they could invent any thing more terrible, they would not fail to use it against Hereticks.

Of Open and Secret Hereticks.

Hereticks are divided into several Classes in the Church of Rome, and this is very necessary for the Instruction of the Inquisitors, that they may always certainly know what Sentence to pronounce upon each. However, every thing is not so fully determined, but that there yet remain great Controversies amongst the Doctors and Inquisitors themselves, so that

that one of them often judges more favourably than another, and therefore 'tis of great Concern by what Inquisitor any Person is to be judged; for he who happens to be condemned as an Heretick by a severe one, might have obtained a milder Sentence, had he been tried by a Judge of more favourable Sentiments and Opinions.

First of all, Hereticks are divided into *Open* and *Secret*. An *Open* Heretick is one, who publicly avows something contrary to the *Catholick Faith*, or who professes an heretical Error contrary to the Faith, or who defends an Error of his own, or one of other Hereticks, or who is convicted before the Judges of the Faith of heretical Pravity, or confesses it himself; or finally who is condemned for it by their Sentence.

A *Secret* or *concealed* Heretick is one, who errs in his Mind concerning the Faith, and purposed to be obstinate in his Will, but yet hath not shewn it outwardly by Word or Deed. He who is a concealed Heretick in this Sense, is generally called an Heretick purely intellectual; and the common Opinion of the Doctors is, that such a one doth not incur the Sentence of Excommunication, and is not subject to the Judgment of the Church for his Heresy, because the Church hath no Power over purely *Internal Acts*, and cannot by its Jurisdiction direct, prohibit, or punish them; and because Excommunication doth not belong to the Court of Conscience, but to that of external Judgment.

Although an Heretick be concealed, yet if he infects or perverts others, he is immediately to be discovered to his Judges without any preceding Admonition. But yet they don't affirm that a concealed Heretick is obliged to betray himself, when he is asked by the Judge in a general Inquisition, Whether he knows any Heretick. In like manner, when an Heretick purely mentally confesses his intellectual Heresy in the sacred Court of Penance, he doth not incur Excommunication by this external Act, because such an Action is good and pious, and not liable to human Judgment.

Hereticks are farther distinguished into *Affirmative* and *Negative*. *Affirmative* are such, who err in their Mind in Matters of Faith, and who shew by Word or Deed, that they are thus obstinate in their Will, and openly confess it before the Inquisitor. *Negative* Hereticks are those, who, according to the Laws of the Inquisition, are rightly and justly convicted of some Heresy before a Judge of the Faith, by some lawful Witnesses, whom either they cannot or will not refute, but yet who will not confess, constantly persisting in the Negative, and that they profess the *Catholick Faith*, and detest heretical Pravity. They except, indeed, against

against Facts committed many Years before, which are presumed to be forgotten. But even this is not to be presumed in Facts of Importance and Weight, according to the *Seville Instructions*, An. 1484. cap. 17. Such are, If any hath wilfully preached up heretical Propositions, or broken the Images of the Saints. Neither is this to be understood of Persons of good Memories, but only of light Fools, and of Persons naturally dull, and forgetful. Who are to be esteemed such, and what Time is to be supposed sufficient to such Forgetfulness, is entirely left to the Ecclesiastical Judges, after they have weighed the Circumstance of Persons and Things.

He also is esteemed by many a negative Heretick, and, as it were, diminute, confessed, and obstinate, who doth not discover either all the Heresies of which he is convicted, or the whole Time of his Offence, or all his Accomplices, if the Things are so fresh, as that he can't be supposed to have forgotten them. Amongst these sort of Negatives are also reckoned by some, such who confess before the Inquisitor heretical Facts or Words, but who deny any Pravity of Intention; altho' others, as we shall soon see, call them Impenitent.

What their Punishment ought to be, the Doctors differ. *Simonet* says, That he who confesses heretical Words, but denies the Pravity of Intention, may be condemned as Impenitent, except the Matter be doubtful. In such case he ought to be purged, or abjure, because of his being suspected, or put to the Torture, which is generally the Custom.

But because this Case often happens in *Spain*, because of their new Converts from the *Jews* and *Moors*, *Juan Rayas* handles this Matter largely, of which I shall here give you the Substance; from whence we shall know what sort of Christians they are; which the *Spanish Kings* have converted to their Church, by the Fear of Punishment, from amongst the *Jews* and *Moors*.

We know, by Experience, how many there are who are detained for heretical Pravity in the Prisons of the Office of the holy Inquisition; who ingenuously confess heretical Deeds and Words, but who absolutely deny all rash Belief, and Pravity of Intention. Thus a Man may confess that he hath said, as often happens in examining Causes of Faith, that every one may be saved in his own Sect and Opinion, a *Jew* by the *Jewish Law*, a *Saracen* by the *Mahometan*, and a *Lutheran* in the *Lutheran* Sect. For the guilty Person sometimes confesses in his Discourse, that he pronounced the aforesaid Words inadvertently, and thro' the Error of his Tongue; and being asked by the Inquisitors of heretical Pravity, Whether he be-

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believes such Things, he says he never did, but that he ever held what the holy Roman Church preaches and teaches. Thus he denies the Intention, and only confesses the Words, which without doubt are heretical. Another Instance is of one who confesses that he said simple Fornication is not a mortal Sin, and yet denies all rash Belief and Error of Understanding, asserting that, speaking for Wantonness sake, he pronounced the aforesaid Words to some Wenches, which are in Reality heretical Words.

An Instance of an heretical Fact shall be in him, who being baptized, is afterwards circumcised, and observes the Fast called *Ramadan*, and the Passover, after the *Mahometan* Manner, and makes the *Zalah*, i. e. his Adoration or Prayer in his own Home or in the Mosques, washing first his Body, and especially his Privities, bending his Knees, bowing down, and lifting up his Head; and who feeds on Flesh killed from the * *Keb-lub*. The new Converts in the Kingdoms of *Valencia*, *Aragon* and *Granada*, publicly observe many other sacrilegious and impious Rites. Another Example is of him, who, especially if he be of the Jewish Race, observes the Sabbath, by refraining from all Labour, and observes the other Festivals of the Jews, and who confesses such Facts and Words, but affirms that he said or did them inadvertently and ignorantly, and that he is ready to submit to the Correction of the Church. 'Tis queried, whether such a one is to be accounted an Heretick, even tho' not convicted by lawful Witnesses.

On the negative Side 'tis urged, that Heresy supposes an Error in the Understanding, and Obstinacy in the Will in adhering to those Things which are contrary to the Determination of the Church. Hence they infer that That of *Innocent* is reasonable and true, who said, That if any one believes what the Church believes, but thro' the Influence of natural Reason falsely supposes that the Father is either greater than the Son, or before him, or that the three Persons are three Things distinct from each other, he is not an Heretick, and doth not offend, because he believes this is the Church's Belief, and supposes his own Opinion to be the Faith of the Church. Therefore he thinks 'tis but reasonable, that in the Defence of the Criminals, Regard ought to be had to their Simplicity and Imprudence, so that the Punishment may be mitigated, and that the Judges, especially the Inquisitors of heretical Pravity, according to their Office, should be very solicitous and diligent in examining and searching

* The *Mahometans* call that Part of the World, where *Mecca* is situated, by the Name of *Keb-lub*, towards which they are obliged to turn themselves when they say their Prayers. *Mecca* is situated towards the South.

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into their Defence, because of the partial and maimed Defence of the Criminals, tho' the Party doth not seek it, or even refuse it. But he adds, that, *is antiently* decided by the *Rota* 875. in *C. Accusatus de heresi*, in *tit. de heret.* that if any one be accused of Heresy, and legally convicted by Witnesses or otherwise, and yet denies that he said or believed such heretical Things, yet that he ought nevertheless to be condemned as a negative and impenitent Heretick, and delivered over to the Secular Arm, altho' he asserts that he believes, and hath believed as the Church believes.

From this long Account, of which this is only the Summary, one may infer, that 'tis the common Opinion of the *Spanish* Doctors, that such who confess an heretical Word or Action, but deny the Intention, are to be put to the Torture to make them confess such Intention; but that such who confess an heretical Deed, and deny the Intention, are to be sent back as negative Hereticks, and delivered over to the Secular Court. Yea, as to doubtful Words, it is presumed there is Heresy; not so indeed as to be full Proof, but so far as to be a just Reason for the Torture.

Royas affirms the same of such who retract the Confession they have made when under Examination. "He who confesses his heretical Errors when under Persecution, and afterwards retracts his Confession, is to be delivered over as a Negative, unless the Mistake plainly appears. For by Confession the Offence is fully proved, and by retracting it the guilty Person becomes obstinate, impenitent, and negative. And therefore unless the Mistake appears, he is to be delivered over, even tho' there be no other Proof of the Crime, and altho' his Confession was made and confirmed under Torture. For this is the same thing as a free and spontaneous Confession, altho' afterwards revoked, if the Mistake doth not plainly appear.

Other Hereticks are called Obstinate or Impenitent, others Penitent. An impenitent one is he, who being legally convict of Heresy before a Judge of the Faith, or having confessed it, will not obey his Judge, when he commands him to forsake his Error and abjure it, and give competent Satisfaction; but obstinately perseveres in such Error.

Simancas distinguishes between an obstinate Heretick and an impenitent one.

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“ There are others, whose Obstinacy is not fully manifest, but who are accounted as consummately obstinate by the Presumption of the Law. Every one for Instance, who being capable of Reason, denies any Proposition of the Catholick Faith, publicly known amongst all the Faithful; especially if he appears to be a skilful and wise Person; because he is presumed to know what all know, and what all Christians are bound explicitly to know. 2. He who asserts any Heresy, having before taught the contrary Catholick Truth, even tho’ he errs in such Propositions, which he was not bound explicitly to know. But however this doth not hold, when ’tis probable there may have been Forgetfulness, either through Length of Time, Decay of Memory, or Foolishness. 3. He who for a long while persists in an Error, the contrary Catholick Truth of which he was not bound explicitly to know; because his persisting in Error is his own Fault, which he is bound to forsake under Necessity of Salvation; and because he is negligent in his Search after Truth, in which the Christian Salvation consists. 4. He who hinders the Preaching, Defence, and Doctrine of the Catholick Faith, and contemns the Censures of the Church; and also he who swears he will never depart from his Error.

Obstinate Hereticks, according to Simancas, are to be burnt alive, and delivered over to the Fire with their Mouths gagged, and their Tongues tied, that they may not offend the little ones. For in this, says Carena, is the only kind of Piety to be cruel, whilst he is Impenitent.

An impenitent Heretick is one, who will not repent of his Error, as to which every impenitent Person is also obstinate. So that if his Heresy be plainly proved, and he will not confess his Error with a pure Heart, nor readily abjure his Heresy, and submit to the Penance enjoined him, he is to be left to the secular Judge as obstinate and impenitent, altho’ he protests a thousand times over that he was and is a Catholick, and is resolved to live and die in the Christian Faith. So that the Impenitent is the same that others call Negative; and if such a one be convicted to have said or written any Heresy, it signifies nothing, tho’ it be proved that he was a Catholick before, or after, and every time else, unless he will return to the Church, and submit to his Penance.

If it should happen that any one should confess thro’ Fear of Punishment, yet he must not assert his Innocence, upon Pain of being again deliver’d to the Inquisition, and punished as Impenitent. So that ’tis not lawful so much as to mutter any Thing against the Judgments of this Holy Tribunal, though they are unjust. This *Simancas* plainly teaches. “ He

“ He who is reconciled to the Church, and says he never was an Heretick, but that he confessed Things he never committed, through Fear of false Witnesses, is to be punished as an Impenitent, unless he repent. This is upon Supposition that he hath not satisfied the Penance enjoined him; for if he hath performed it, he is rather rash than impenitent. Now rash Persons are to be punished according to the Pleasure of the Judges, and sometimes to be scourged and threaten’d with more grievous Punishments, if they afterwards fall into the same Rashness.” *Zanchinus* treats more distinctly of such Persons: “ If any one, after having confessed his Error, and received Sentence of Penance, retracts his Confession, and says that he confessed through Fear of Charges, or some greater Punishment, he appears, by this his Retraction, not to have been really but feignedly converted, and is therefore to be punished as an Heretick; and if he hath abjured in his first Confession, he may be look’d on only as a feigned Relaps; but if he persist in his Denial, he may be condemn’d as an obstinate Heretick.” In the mean while, that they may not appear to be the Defenders of any unjust Sentence, they allow innocent Persons, who, wearied with Imprisonment, and through Fear of Death, have confessed Crimes they never committed, to have their Cause reheard before the Inquisitors, but with such a Limitation, as is enough to deter the most innocent Person in the World, which *Simanca* thus describes to us: “ An innocent Person, who, through Fear of Witnesses, and wearied out with Imprisonment, confesses he hath been an Heretick, if he can prove his Innocence, ought not to neglect his Reputation, but to have the Cause heard over again by the Inquisitors. But if he can’t refute the Witnesses, nor justly retract his Confession, he ought to confess that Sin to his Parish Priest, and do nothing more, lest something worse should happen to him;” i. e. lest he should be dismissed as an Impenitent, and delivered over to the Secular Court.

Besides these, there is another Kind of Impenitents, viz. such who have professed their Heresy, but don’t observe the Penance enjoined by the Inquisitor. Such are thought to be but feign’d Converts, and therefore Impenitent. Thus *Simanca*: “ Those who don’t satisfy the Penance enjoined them, ought to be punished as impenitent, perjured, and feigned Converts. They are impenitent, because they don’t perform Penance; perjured, because they violate the Oath, by which they promised they would obey the Commands of the Church; feigned Converts, because they neither perform true Penance, nor remain in due Obedience to the Church.”

"Church." Friar *Bernard Comensis*, in his *Light of the Inquisition*, calls these Impenitent. But *Pegna* says, there is Need of mature Deliberation; and manifold Distinctions in this Matter. However, *Sinancas* doth not rank them with other Impenitents, because he adds, "That such Impenitents are not immediately to be left to the Secular Court, but they must be dealt with by Law till the pronouncing the definitive Sentence. Neither are they to be rooted up out of the Catholick Church, till they have been once and again, and several times, admonished about the Salvation of their Souls, by learned, pious, and religious Men." Penitents are those, who, admonished by the Ecclesiastical Judge, abjure their Error, and give suitable Satisfaction at the Pleasure of the Bishop and Inquisitor. Of these there are two Sorts: Some come of their own accord; or within the Time of Grace, without being cited, or called by Name, or having any particular Inquisition made after them; whereas others return after being apprehended, cited, and inquisited, and oftentimes after many Admonitions. The first are treated with greater Mildness, and are sometimes enjoined a secret Penance; but must however abjure their Errors, and be bound under the Forfeiture of all their Effects to the Inquisition, to accomplish the Penance enjoined them.

As to those who do not voluntarily return, the Penance enjoined them is more severe, for they are accounted convict, and in some Measure forced. There is no particular Account to be given of their Penances, which are left to the Pleasure of the Inquisitors.

But if there be a great Number of Penitents, the Council of *Tarracón* hath decreed, that a prudent Judge may use somewhat of Moderation.

Finally, also the Council of *Narbonne* hath provided, *cap. 18.* that none recovered from Heresy, if they had been greatly culpable, should be admitted to any Religion. Lastly, 'tis required that such as are reconciled, shall confess the same Crimes to their own Parish Priest, after they have been judicially absolved by the Inquisitors; which is also provided by the *Madrid Instruction*: *After the Penitent shall have been judicially absolved, let the Priest sacramentally absolve him.*

But they will by no means allow such to be received, who, after a long time, and frequent Admonitions and Exhortations, scarce seem capable of Conversion, and especially if they appear so at that Instant of time, when they are to be delivered over to the secular Court; because the Fear of Death seems rather to induce them to seek Mercy, than the Love of Truth. Nor such, who by Commands, Threatnings, Punish-

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ments, Rewards, sworn Promises, or any other the like ways, endeavour to persuade any to Heresy, or obstinately to defend any Heresy they may have embraced. Nor finally such, who have persuaded, or endeavoured to persuade, Kings, Princes, the Queen, or the Sons and Daughters of Kings, to embrace Heresy. *Simancas* gives the Reason: "Because such a one is
 " to be left to the Secular Judge without Mercy, as having added high
 " Treason to Heresy, by endeavouring to destroy, with the most aggravated Crime, the Soul of the Prince, and thereby, in consequence, of
 " the whole Commonwealth. Kings also themselves may easily be per-
 " verted by Means of such Women; and if such are guilty of High
 " Treason, who violate their Chastity, much more those who cause their
 " Souls to commit Adultery.

A threefold Punishment descends to the Children of a Person condemned as an Heretick. The first is the Forfeiture of Effects, because they are absolutely deprived of paternal Succession. The second is, their Incapacity to succeed any of their Relations, or other Persons whatsoever, either by Will, or without one. The third, their Inability to enjoy any Ecclesiastical Benefice, or even publick Office. As to other Punishments inflicted on Hereticks, their Children are exempted from them. As to the Children of such who return, and are received to Mercy, tho' once Hereticks, and theirs who have been suspected, but died with Purgation enjoined them, or not, these Punishments are not to be inflicted on them. The third Punishment only is to be laid on the Children of Persons suspected of Heresy, because of their favouring, defending, and receiving it, if their Parents die such. But if they die after being received to Mercy, and Penance enjoined them, even this Punishment doth not pass to their Children, whether they have accomplished their Penance or not.

As to the penitential Punishments, some are of such a Nature, as that they may be fulfilled by others; particularly pecuniary ones; such as the building a Church or Hospital, the giving Portions to poor Girls, the paying a Fine, the returning of Usury. If any one dies before the Accomplishment of such Penance, his Children and Heirs are obliged to fulfil it. Others are personal; such as to pray, fast, hear Divinity, to hear Mass every Day, to abjure their Error, and be confessed every Week. These cannot pass to the Children or Heirs, but are reserved for Purgatory.

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OF ARCH-HERETICKS.

Amongst Hereticks there are some Arch-Hereticks; such who have invented and broached Heresies, or taught them to others when invented, and so become themselves the Masters of Error. These are usually called Dogmatists or Dogmatists, and antiently perfect Hereticks. If such as these will be converted, the Council of Biterre hath thus determined concerning them. Chap. 16. *Let perfect Hereticks, or convicted ones, be secretly examined before certain discreet and faithful Men, persuading them, according to their Duty, to Conversion, and to such as are willing to turn, approving themselves favourable and kind, because by such much Light will be spread, and great Advantage will accrue; and mitigate their Penances according to the Nature of their Conversion and Merit, or shew them Regard, as you shall think proper and convenient.* Thus also the Council of Tarracon: *But let perfect Hereticks, and Dogmatists, if they will be converted, after Absolution and Abjuration, be shut up in perpetual Imprisonment.* Hence in the Sentence of Peter Auterius, a Doctor of the Albigenses, we read: *Saving however, and retaining, that if thou wilt turn from this Sect and Heresy, and be converted, and return to the Ecclesiastical Unity, thy Life shall be saved: Reserving however to our selves full and free Power of enjoining thee a Punishment and wholesome Penance, for the Things thou hast done in thy former Sect and Heresy.*

The Reasons they assign, why they receive to Penance penitent Arch-Hereticks, or Dogmatists, are these. Because, if they are converted, and preach to those they have deceived, they may easily convert many of them. Add to this, that as they best understand the Errors and Deceits of Deceivers, which they themselves have taught, they can more easily refute them by writing or talking. And finally, because Dogmatists, truly converted, and openly penitent, are, as it were, a clear Mirror of Repentance and Humility, into which Sinners may look and be converted, and be preserved in their Duty. This is especially to be observed, when an Arch-Heretick is of great Authority, for his Doctrine and Dignity, and who therefore, it may be hoped, will convert many by his Authority. And thus Berengarius was heretofore received. However, the Doctors now think, that considering the most miserable Condition of these Times, in which Hereticks dare every Thing that is impious, all Arch-Hereticks are to be delivered over, without Mercy, to the Secular Court; because, as Simancas says, *They deserve to die not one Death only,*
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but many; and therefore he is for punishing them not as other Hereticks, but with severer Punishments, without any Compassion. He farther says, That the Masters of the Lutheran Heresy are by no Means to be spared; as being tainted with many Vices and Crimes, viz. Enemies to the Church, Haters of the Saints, Violators of the divine Law, sacrilegious Persons, Corrupters of good Works, and therefore of all good Manners, and Subverters of Nations. And therefore, he adds, they must not be forgiven, who commit such wicked, abominable, and heinous Crimes.

The Council of *Tarracon* hath determined those to be Receivers of Hereticks, who have twice, or more, knowingly received Hereticks in their House, or any other Place. A Receptacle is an House or Lodging, where Hereticks have met together twice or more to preach or read, or where they have frequently lodged. But such offend more grievously who know their Errors, and that the Church doth persecute them, and nevertheless receive and conceal them from the Hands of the Church, even though they have done this but once; and, by this Reception, they render themselves suspected of Heresy, more or less, according to the Difference of Circumstances; and therefore, as suspected Persons, they are obliged to abjure. Their Punishment is Excommunication; and if, after this, they persist in their Crime, they are put under the Bann, banished for ever, and suffer Confiscation of all their Goods. But if any one receives an heretical Relation, his Crime is less, and he is more gently punished. And in this they consider the Degrees of Kindred, that such who are nearest akin to the received Heretick, may be more gently dealt with than those who are farther off.

The Defenders of Hereticks, according to the Definition of the Council of *Tarracon*, are such who knowingly defend Hereticks by Word or Deed, or any Method, in their own Lands, or any where else, whereby the Church is prevented from executing its Office in the Extirpation of heretical Pravity. Now there are different Ways of defending. An Heretick may be defended with Arms, or without them, or by giving him Notice for his Escape. He may also be defended when under Trial, or when he is not. They may also be said to be Defenders of Hereticks by Consequence, who hinder in any Manner the Office of the Inquisition. Besides this, there is another Case by which a Man may be said to be a Defender of Hereticks, when he puts another Person or himself in the Room of the Heretick to be apprehended.

The Favourers of Hereticks, as the Name shews, are those who shew Favour to Hereticks, and are in all Things equal to the Defenders of them.

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They are either Magistrates or private Persons; and they may all favour Hereticks by Omission or Negligence, by Deed or Assistance, and finally, by Counsel or Words. The Magistrate's Office is to extirpate Hereticks, and expel them from his Kingdoms and Dominions, and to give all Counsel and Favour to the Inquisitors of heretical Pravity, for the punishing and restraining of Hereticks, and the Suppression of all rising Heresies; because the Inquisitors, without the Magistrates Help, are weak, and cannot drive away Hereticks; and therefore they must bend all Endeavours to this, that the Wickedness of Hereticks may not encrease under their Government, and the Security and Religion of the Catholicks be not diminished or disturbed. The Favourers therefore of Hereticks are such: First, who omit to do those Things concerning Hereticks, or Persons suspected and defamed for Heresy, or those who believe, receive, defend, and favour them, which they are obliged to do by Office, when required to do it by the Inquisitors or Bishops, or one of them, *viz.* if they do not take them up, keep them in safe Custody, send them to the appointed Place; or if they don't readily punish them, when condemned and delivered over to them; for they are obliged to all these Things. In like manner, the Prelates or Inquisitors, who neglect to make safe Prisons, to set over them faithful Keepers, to apprehend, torture, or punish Hereticks, or to keep them in safe Custody, in order to favour Hereticks, are judged to be themselves Favourers of them; but not if these Omissions proceed from Negligence, or any other Cause. Secondly, the Magistrate is a Favourer of Hereticks by Commission, if, when taken, he delivers them from Prison without the Leave or Command of the Bishop and Inquisitor, or one of them; or if he doth directly or indirectly hinder their Process, Judgment, or Sentence; or do other Things like them. All these are *ipso jure* excommunicated, as Favourers of Hereticks; and if they obstinately remain under this Excommunication for the Space of a Year, are to be punished as Hereticks.

Private Persons are said to be Favourers of Hereticks, when, out of their own Rashness, they free from Prison Hereticks, or Persons apprehended for Heresy; or give any Assistance, Council, or Favour towards their Deliverance; or to accompany them; when freed, as not to seize them; or resist those who would apprehend them, or presume directly or indirectly to hinder Process, Judgment, or Sentence, in a Cause of Faith; or give Council, Assistance, or Favour to such Hindrance. Private Persons, indeed, are not said to be Favourers of Hereticks by mere Omission, *viz.* for not apprehending or not taking them into Custody, as not being

ing obliged to it. Nevertheless they will be Favourers, if they shall omit to discover and apprehend them, when obliged to it by Office: Such, for Instance, are the *Cross-Bearers*, who in Spain are called *Familiars*; or if when called on by the Magistrate, to assist in apprehending Hereticks, they refuse to do it without Reason, and when they have nothing to prevent them.

Lastly, both Magistrates and private Persons may be said to be Favourers of Hereticks, by omitting to discover them, because all Persons are obliged, under Pain of Excommunication, to discover all Hereticks, even concealed ones, to the Bishops and Inquisitors, and, if it be necessary, to accuse them. So Gregory IX. ordained in one of his Extravagants against the *Paterenes*, beginning, *Excommunicamus*, inserted amongst the Apostolical Letters for the Office of the Inquisition. *Likewise if any Person knows any Hereticks, or such who hold private Conventicles, or who differ in their Life and Manners from the Conversation of the Faithful, let him endeavour to discover them to his Confessor, or some one else, who he believes may give Notice to the Prelate, otherwise let him be excommunicated.* And this Obligation of informing against Hereticks is so strict, that it takes Place, notwithstanding any Oath, Covenant, or Promise to the contrary. But if the Wife only should happen to know that her Husband eats Flesh on forbidden Days, and knows him to be so furious, as that probably he would murder or abuse her, if she informed against him, some think her Fear may excuse her from the Suspicion of Heresy. But we shall speak more fully of the Obligation to inform hereafter.

Lastly, Friar Ivoetus describes the Marks and Signs, by which Persons may be known to be Favourers of Hereticks. There is extant a Volume of his, the Fragment of which is in a Parchment Book of the Vatican Library, intitled, *How the Favourers of Hereticks may be discovered.* And he there reckons up five Signs in these Words. *The Favourers of Hereticks may easily be known by these five very probable Marks.* First, *Whoever privately visit them, whilst in Custody, and whisper with them, and give them Victuals, are suspected of being their Disciples and Favourers.* Secondly, *Whoever greatly lament their Apprehension or Death, seem to have been their spiritual Friends whilst they lived; for 'tis scarce credible that any Person can be a long while intimate with an Heretick, and not know his Secrets.* Thirdly, *Such who complain that they are unjustly condemned, after they have been openly convicted, or have confessed their Heresies, it appears that they approve their Sect, and think the Church hath erred in condemning them.* Fourthly, *Such who look with a bitter Countenance upon*

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those who persecute Hereticks, or preach vigorously against Heresy; for he who diligently observes, may see by their Eyes, and Nose, and Aspect, that they do not look with a favourable Countenance, and are therefore greatly to be suspected, that they hate those against whom their Heart appears to be so bitter, as their Countenance betrays, and love those for whose Destruction they so much grieve. Fifthly, If any are found to have, by Stealth, gathered together in the Night the Bones of Hereticks burnt, as Reliques, 'tis not to be doubted but that they reverence them as Saints, whose Bones they lay up as a kind of Sanctuary, and are therefore equally Hereticks with them; because no one accounts an Heretick for a Saint, but he who believes his Sect to be holy, and is equally an Heretick with him. These Things give great Presumption of Heresy against him, although it be not sufficient Proof to condemn him, unless there concur other Arguments, by which it manifestly appears they did the aforesaid Things in Favour of Heresy.

The Favourers of Heresy are *ipso jure* excommunicated. If they are mere Favourers, but not publicly excommunicated, they don't incur any other Penalties. But if they are publicly declared excommunicate, and don't give Satisfaction within a Year, they suffer other Penalties, which are largely described.

Of the Hinderers of the Office of the INQUISITION.

The Hinderers of the Office of the Inquisition come nearest to the Favourers of Hereticks, and are usually reckoned amongst them.

That this Office may be vigorously exercised, and that no Hereticks may escape the Rigour of it, all are strictly commanded, of whatsoever Dignity or Condition, especially Archbishops, Bishops, and other Prelates, to favour the Business of the Inquisition, and yield all Countenance and Help to the Inquisitors.

Persons are said to hinder the Office of the Inquisition, either directly or indirectly. Directly, such who deliver from Prison by their own Rashness Persons taken up for the Crime of Heresy, or who destroy the Processes of the Inquisition, or who wound the Witnesses in a Cause of Faith for their Testimony. Or if a temporal Lord ordains, that no one ought to take Cognizance of the Crime of Heresy but himself, and that no one shall be accused, or give Testimony, but before himself. As also all such, who use only Threatnings and terrifying Words, and who directly hinder Process, Judgment, and Sentence in a Cause of Faith, or give Counsel, Help and Favour in doing thus.

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They are said indirectly to obstruct, who use any Insinuation or other Means, from whence consequentially any Impediment may arise to the Office of the Inquisition. Such, for Example, who order that no one shall bear Arms, unless of the Household of the Temporal Lord, and that no one shall apprehend, or cause to be apprehended, any Person, but the Temporal Lord: For from thence it follows, that those who belong to the Inquisitors can't wear Arms, nor take up any Person. These are less criminal than the former, but are all excommunicated; and, if they lie under that Excommunication for a whole Year, they must, in order to their Reconciliation, abjure such Impediment and Favouring, otherwise they are delivered over as impenitent Hereticks to the Secular Arm.

Nor are there wanting Examples of an Inquisition actually made, not only against private Persons, but also against Magistrates, yea whole Cities and Communities, on the Account of their hindering the Inquisition. *Beovius* relates a memorable Instance, which happened in the Territory of *Parma*, about the Year 1285, from a Letter of *Honorius IV.* brought to the Bishop of *Parma*, in which there are these Things, " Friar *Florius*,
" a *Predicant*, Inquisitor of heretical Pravity in the Parts of *Lombardy*,
" deputed by the Apostolick See, condemned a certain Woman, relap-
" sed into Heresy after Abjuration, who being deliver'd to the Secular
" Court, was burnt. But some Persons, who were met together in the
" Place where the said Woman was burnt, and a great Number of others,
" who flocked from the different Parts of the City, ran in a violent Man-
" ner to the Place of the Friars of the said Order, and forcibly enter'd the
" said Place, and broke open the Church Doors, destroy'd the Houses
" with Stones, and presumed to enter by Violence the little Chapels of
" the said Place, and unjustly plunder'd the said Friars of their Books,
" Garments, and Effects, and beat and wounded several of them; one of
" whom, after a few Days, died of the Wounds he had received; so
" that the Friars were forced to leave the Place.
" And because the Governor and Magistrate neglected to proceed to the
" Punishment of that Crime, according to their Office, they were cited
" by the Bishop of *Osia* personally to appear before him at a certain Place
" and Time. They appeared; but because there was no proper Syndick
" for the aforesaid Community, who appeared before him, according to
" the Form of the Citation, he published the Sentence of Excommuni-
" cation against them; and put the City under an Interdict. After this,
" the Governor and Magistrate desired, that the Sentence of Excommu-
" nication and Interdict should be taken off, and promised that they
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those who persecute Hereticks, or preach vigorously against Heresy; for he who diligently observes, may see by their Eyes, and Nose, and Aspect, that they do not look with a favourable Countenance, and are therefore greatly to be suspected, that they hate those against whom their Heart appears to be so bitter, as their Countenance betrays, and love those for whose Destruction they so much grieve. Fifthly, If any are found to have, by Stealth, gathered together in the Night the Bones of Hereticks burnt, as Reliques, 'tis not to be doubted but that they reverence them as Saints, whose Bones they lay up as a kind of Sanctuary, and are therefore equally Hereticks with them; because no one accounts an Heretick for a Saint, but he who believes his Sect to be holy, and is equally an Heretick with him. These Things give great Presumption of Heresy against him, although it be not sufficient Proof to condemn him, unless there concur other Arguments, by which it manifestly appears they did the aforesaid Things in Favour of Heresy.

The Favourers of Heresy are ipso jure excommunicated. If they are mere Favourers, but not publicly excommunicated, they don't incur any other Penalties. But if they are publicly declared excommunicate, and don't give Satisfaction within a Year, they suffer other Penalties, which are largely described.

Of the Hinderers of the Office of the INQUISITION.

The Hinderers of the Office of the Inquisition come nearest to the Favourers of Hereticks, and are usually reckoned amongst them.

That this Office may be vigorously exercised, and that no Hereticks may escape the Rigour of it, all are strictly commanded, of whatsoever Dignity or Condition, especially Archbishops, Bishops, and other Prelates, to favour the Business of the Inquisition, and yield all Countenance and Help to the Inquisitors.

Persons are said to hinder the Office of the Inquisition, either directly or indirectly. Directly, such who deliver from Prison by their own Rashness Persons taken up for the Crime of Heresy, or who destroy the Processes of the Inquisition, or who wound the Witnesses in a Cause of Faith for their Testimony. Or if a temporal Lord ordains, that no one ought to take Cognizance of the Crime of Heresy but himself, and that no one shall be accused, or give Testimony, but before himself. As also all such, who use only Threatnings and terrifying Words, and who directly hinder Process, Judgment, and Sentence in a Cause of Faith, or give Counsel, Help and Favour in doing thus.

They

They are said indirectly to obstruct, who use any Infimulation or other Means, from whence consequentially any Impediment may arise to the Office of the Inquisition. Such, for Example, who order that no one shall bear Arms, unless of the Household of the Temporal Lord, and that no one shall apprehend, or cause to be apprehended, any Person, but the Temporal Lord: For from thence it follows, that those who belong to the Inquisitors can't wear Arms, nor take up any Person. These are less criminal than the former, but are all excommunicated; and, if they lie under that Excommunication for a whole Year, they must, in order to their Reconciliation, abjure such Impediment and Favouring, otherwise they are delivered over as impenitent Hereticks to the Secular Arm.

Nor are there wanting Examples of an Inquisition actually made, not only against private Persons, but also against Magistrates, yea whole Cities and Communities, on the Account of their hindering the Inquisition. *Beovius* relates a memorable Instance, which happened in the Territory of *Parma*, about the Year 1285, from a Letter of *Honorius IV.* brought to the Bishop of *Parma*, in which there are these Things, "Friar *Florius*,
"a *Predicant*, Inquisitor of heretical Pravity in the Parts of *Lombardy*,
"deputed by the Apostolick See, condemned a certain Woman, relap-
"sed into Heresy after Abjuration, who being deliver'd to the Secular
"Court, was burnt. But some Persons, who were met together in the
"Place where the said Woman was burnt, and a great Number of others,
"who flocked from the different Parts of the City, ran in a violent Man-
"ner to the Place of the Friars of the said Order, and forcibly enter'd the
"said Place, and broke open the Church Doors, destroy'd the Houses
"with Stones, and presumed to enter by Violence the little Chapels of
"the said Place, and unjustly plunder'd the said Friars of their Books,
"Garments, and Effects, and beat and wounded several of them; one of
"whom, after a few Days, died of the Wounds he had received; so
"that the Friars were forced to leave the Place,
"And because the Governor and Magistrate neglected to proceed to the
"Punishment of that Crime, according to their Office, they were cited
"by the Bishop of *Osia* personally to appear before him at a certain Place
"and Time. They appeared; but because there was no proper Syndick
"for the aforesaid Community, who appeared before him, according to
"the Form of the Citation, he published the Sentence of Excommuni-
"cation against them, and put the City under an Interdict. After this,
"the Governor and Magistrate desired, that the Sentence of Excommu-
"nication and Interdict should be taken off, and promised that they
"would

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“ would obey the Pleasure of the Church; and that they would give
 “ sufficient Security upon Oath, and Sureties, to stand to the Law for all
 “ the aforesaid Enormities, Offences, and Injuries. This Security was ac-
 “ cepted; and upon the Appearance of the proper Sureties for the afore-
 “ said Community, each Person being bound in a thousand Marks of
 “ Silver, that they should obey the Commands of the Church, the Sen-
 “ tence was remitted, and they themselves summoned to appear within
 “ the Space of one Month before Pope *Martin IV.* by themselves, or
 “ their Syndicks, or their Procurators, sufficiently instructed for this Pur-
 “ pose, in order to obey the Pope's Command for these Excesses, and to
 “ receive what in Justice was to be exacted of them. They appeared
 “ within the said Term before the Pope, but there was no farther Process
 “ made upon the said Affair. So that *Honorius IV.* commanded the Bi-
 “ shop of *Parma* to cite them again before him, to obey his Orders, and
 “ to receive what in Reason should be appointed them. What was the
 “ Event of this Process, and what was the Punishment inflicted upon the
 “ Magistrate, *Bzovius* doth not relate.”

We have another Instance in the Book of Sentences of the *Tholouse* In-
 quisi- tion. Certain Persons were thrown into the Prison of the Inquisition
 at *Cordes*, in the Territories of *Tholouse*. The Magistrate and People rose
 up against the Bishop of *Viviers*, and the Inquisitors, and by several Me-
 thods of obstructed the Office of the Inquisition. The Sentence of Ex-
 communication was pronounced against them. At length the Magistrates
 and principal Persons threw themselves in a very humble Manner before
 the Inquisitors, at a general Sermon of the Faith, submissively confessing
 their Fault, and begging Pardon for their Offence. They submitted them-
 selves purely and entirely to the Will and Order of the Inquisitors, declar-
 ing that they were ready to make Satisfaction, and to receive and do Pe-
 nance, such as they should think fit to enjoin them. They pray to be
 absolved from the Sentences of Excommunication, and promise that they
 would be devoted, and persevere in their Devotion and Reverence and
 Obedience to the Inquisitors, their Successors, and the Office of the Inqui-
 sition all the Days of their Life. This, so humble a Supplication, moved
 the Minds of the Inquisitors to Mercy, so that tho' the Magistrates and
 People had grievously offended against the Bishop of *Viviers*, the Inqui-
 sitors and their Office, and were therefore worthy of the severest Punish-
 ments, yet in Consideration of their Humiliation and Supplication, they
 absolve them from the Sentences of Excommunication; but under this
 Penance, that they shall build a Chapel in their City, with Ornaments,
 and all other Requisites, to perform divine Service, and should farther
 erect

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erect three Images over the Door of the Chapel, one of the Bishop of *Viviers*, and the other two of two Inquisitors. And finally, they reserve to themselves the Disposal of certain particular Persons of the said Community, to the Number of six or eight, whom they would call by Name that Day or the following, whom, as the principal Offenders, they would enjoin wholesome Penance, and they oblige the whole University, and every Person thereof, that they and every one of them shall satisfy the Bishop and Church of *Viviers*, as also the Office of the Inquisition and the Inquisitors, and all Persons belonging to them, and pay the Expences they have been at upon account of the said Affair.

In the same Book of Sentences there are two other Instances of Inquisition made against private Persons, for hindring the Office of the Inquisition. The first is that of Friar *Bernard Deliciosi*, who was accused, that, as the principal Director, he had prosecuted the Complaints of the Cities of *Carcassonne*, *Viviers*, and *Cordes*, having procured for this Purpose a large Sum of Money from the said Places, and by the Sale of his Books, and by Borrowing; that he had spoken very freely of the Processes and Sentences of the Inquisitors, published against certain Persons for Heresy, in the most publick Conversations and elsewhere, even in the Secular Courts; that he had justified Persons apprehended and condemned for Heresy, and said, *That though they were true Catholicks, they were forced by the Violence of their Tortures to confess themselves and others guilty of Heresy; and that they were unjustly condemned; and hereby excited the Magistrates and People to oppose the Bishop and Inquisitors: That he also publickly asserted at Toulouse, That St. Peter and St. Paul could not defend themselves from Heresy if they were alive, and had Inquisition made against them in the Manner practised by the Inquisitors; and that he thus informed the King of France against the said Inquisitors: That he falsely ascribed to the Inquisitors an Instrument drawn up against the City of Carcassonne upon the Affair of Heresy, and made this an Argument of exciting the People, that they might see what these Predicants would be able to do against particular Persons, who could make so false and pernicious an Instrument against a whole Community: That by this Means he hindered the Office of the Inquisition, raised a Sedition and Rebellion, and did many other Things, by which the Exercise of the Office of the Inquisition was obstructed: That moreover, after having taken the Advice of many Persons, at several Times, and in different Places, he had been deputed by the Magistrates of Carcassonne, to the Lord *Ferrand de Majorat*, and had offered to him the Borough of Carcassonne in these Words, My Lord, you may know*
" that

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“that the Magistrates of *Carcaffone*, upon account of the Disturbances raised by the Inquisitors, and because the King of *France* will not take Care to protect them from the Actions of the Inquisitors according to their Desire, are willing to receive you for their Lord and Defender, and will receive you, if, and whensoever you will please to come, and deliver up to you the Borough of *Carcaffone* &c.” And that the Lord *Ferrand* answered, that he would willingly accept what they offered him by the said Friar. And finally, he was accused of Magick, and that he had by him, and read, a certain conjuring Book: That hereby he incurred the Sentence of Excommunication, and with an obstinate Mind continued under it for fifteen Years, and at the same time celebrated divine Services: That at length, after daily Contumacy, and long Proceffes form’d against him, he had fully confessed all, and humbly desired to be absolved from his Sentences of Excommunication. Upon this he was absolved from the said Sentence, but immediately pronounced, degraded, condemned to perpetual Imprisonment, and to do perpetual Penance in Irons, and with the Bread of Sorrow, and Water of Affliction. Moreover, the Inquisitors reserve to themselves the Mitigation of the aforesaid Penance, according as they should think expedient, and he himself should deserve it by Patience and Humility, and the Sacrifice of a contrite Heart. But Pope *John XXII.* revoked this Reservation of mitigating the Punishment, and commanded that the whole Sentence and Penance pronounced against him, should be rigorously and entirely executed.

The second Instance is that of *William Garrici*, who, besides his being present at the Heretication of a certain Person, and adoring Hereticks after an heretical Manner, is said to have consented, with others, in the Advice and Endeavour, privately, by the Assistance of one of the Servants of the said Inquisition, to steal away and burn the Books of the Inquisition at *Carcaffone*, in which were written the Confessions and Depositions in the Fact of Heresy, and to have hindred by several other Methods the Office of the Inquisition. For this Reason he was excommunicated, and continued under it several Years, and was condemned to be imprisoned. But at length, after many Evasions, he acknowledged his Fault, and submitted himself to the Pleasure of the Inquisitors, humbly desiring Favour and Mercy from them. After he had solemnly abjured, not only Heresy, but also the favouring, receiving, defending, and partaking with Hereticks, he was absolved from his Excommunication, and had this Penance enjoined him; that in the first general Passage he should personally transport himself, where he should tarry during the Pleasure or Command of the Inquisitors,

quisitors, or their Successors. Or if he should be legally prevented, that then he should be obliged to send in his Room, at his own Cost and Expence, a sufficient and proper Soldier for the Defence of the holy Land. That within the Space of thirty Days he should depart the Kingdom of France, to such Place as the Inquisitors should appoint, there to abide till the Time of his transporting himself, or after that Time, if he sends a Soldier in his Room. After this Sentence was pronounced, read, and published by the Inquisitors, Master *William Garri*, upon his bent Knees, and with his Hands held up together, in Token of great Humility, said, That he accepted the aforesaid, giving and returning Thanks, first to the Lord Jesus Christ, and then to the Inquisitors, for these Favours bestowed upon him.

Other Magistrates are punished with Sentences of Excommunication, their Countries are put under Interdict, and given to the first Conqueror of them, many Instances of which we have seen in the first Book of this History. And because this Office, in itself hateful, is rendered much more so by the excessive Cruelty of the Inquisitors, who have hereby raised the Anger and Indignation of all Mankind against them, therefore Pope *Pius V.* to prevent the least Hurt or Injury from being offered them, and every Hindrance that may be made to this Office, did, in the Year of our Lord 1569. publish a most severe Bull against all who should hurt the State, Effects, and Persons of the sacred Office of the Inquisition of heretical Pravity.

According to the Constitution of this Bull, very grievous Punishments are often inflicted on those who violate it. *Carena* relates from *Parinacius*, that a certain Prisoner in the holy Office was hanged for killing his Keeper, in order to make his Escape. He adds, That at *Cremona*, An. 1614. a certain Jew, was hanged for killing another Jew, who had deposed against him in the holy Office. And not only thus, but if the Wound is not mortal, but slight, he says that he hath seen such Offenders sometimes condemned forever to the Gallies, or at least for ten Years. This was executed upon a certain Person at *Cremona*, who had caned a Witness for deposing against his Brother in the holy Office. His Sentence was publicly read to him in the great Episcopal Hall at *Cremona*, *Carena* himself being present.

The same *Carena* gives us a Case, by which it will appear, that sometimes those who terrify Witnesses, but yet don't obtain their End, have been dismissed with a severe Reprimand, and being put in mind of the before-mentioned Bull. A certain Sergeant of the holy Office had a Mes-

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sage from the Inquisitor to deliver to a certain Countryman's Wife: The Woman not being at home, the Sergeant would leave it with her Husband; upon which the Countryman gave him several hard Names, and follow'd him with Weapons, crying out, *La scirro becco torna in dietro a tor il tuo precetto*. The Pope consented that the Cause should be tried before him, July 15, 1621. and the Sentence approved was, that the said Countryman had incurred the Penalty of this Constitution, and that he was to be condemned to the Gallies for five Years; with this Addition, That from the Goodness of the Pope he should be heard, if he desired the Grace of Commutation, upon Consideration of the Plainness of the Man, and his conjugal Affection.

However, *Carena* adds a Caution, that from these Instances 'tis not lawful for the Inquisitors and Ministers of the holy Office, to make for themselves a general Rule, viz. that such who terrify the Witnesses ought to be punished, as above, and after the same Manner as those who wound them; for this is not left to the Pleasure of the Inquisitors or Ordinaries by the Matter of this Bull, but to the Cardinals, the supream Inquisitors, to whom it belongs to declare, whether Criminals have incurred the Penalties of this Constitution, or not.

He gives us another Instance that happened at *Cremona*, An. 1592. A certain Person had accused all the Witnesses examined against him in the holy Office, and had caused them to be imprisoned by the Secular Judge for sundry Crimes and Damages which they and their Cattle had occasioned in his Grounds. The major Part of the Congregation at *Cremona* thought, that altho' the Accusation could not be called formally that terrifying of which the Bull speaks, yet inasmuch as it appeared slanderous and deceitful, the Criminal should be obliged to free the imprisoned Witnesses from Prison at his own Expence, and pay them, when delivered, all their Charges.

This takes place, not only when any Person is accused as an Heretick, " but in all and every Cause whatsoever belonging to the holy Office; " because every Cause belonging to this Tribunal, is properly said to be a " Cause of the Faith, and to belong to it, and to infer some Mark of the " Faith, either directly or indirectly. And in all Causes of this Holy Office, " there is the same Reason for maintaining the Liberty of this Tribunal. Thus " in the Year 1635, a certain *Neapolitan* Soldier had rescued from the " *Sbirri* a certain Blasphemer, taken up in the Name of the Holy Office, " for which he was condemned by Order of the supream Tribunal of the " City to all the Penalties of this Constitution. Altho' afterwards, thro' the " Favour of the said supream Tribunal, the Punishment of Death was " exchanged

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“ exchanged for that of the Gallies for ten Years. And this was publickly
“ executed at *Cremona*, in the Hall of the holy Office.”

Yea, they extend this Affair sometimes so far, that all manner of Offences committed against any one that belongs to the Inquisitors, though they have no Relation to the Faith, are punished in the same Manner, as though the Office of the Inquisition had been hindered by them, or the Inquisitor himself had received some grievous Injury. *Reginald Goslovius* gives us a remarkable Instance of this which happened in the former Age at *Seville*. The Bishop of *Terragone*, chief Inquisitor at *Seville*, went one Summer for his Diversion to some pleasant Gardens situate by the Sea Side, with all his Inquisitory Family; and walking out, according to his Custom, with his Episcopal Attendance, a Child of the Gardener, two or three Years old at most, accidentally sat playing upon the Side of a Pond in the Garden, where my Lord Bishop was taking his Pleasure. One of the Boys that attended his Lordship, snatch'd out of the Hand of the Gardener's Child a Reed, with which he was playing, and made him cry. The Gardener hearing his Child, comes to the Place, and when he found out the Occasion of his crying, was angry, and bad the Inquisitor's Servant restore the Reed to him. And upon his Refusal, and insolently contemning the Countryman, he snatch'd it away, and as the Boy held it fast, the Gardener slightly hurt his Hand by the sharp Husk of the Reed, in pulling it from him. The Wound was far from being mortal, or from endangering the Loss of any Part, and so could not deserve a severe Punishment. 'Twas no more than a Scratch of the Skin, a mere childish Wound; as one may imagine by the Cause of it. However, the Inquisitor's Boy came to his Master, who was walking near the Place, to complain about his Wound, upon which the Inquisitor orders the Gardener to be taken up, and thrown into the Inquisitory Prison, and kept him there for nine Months in very heavy Irons, by which he received such Damage in his Circumstances, which were at best but mean, as the poor Man could not easily recover; his Children and Wife, in the mean while, being ready to perish for Hunger. And all because he did not pay Deference enough to the Inquisitor's Boy, as a Member of the holy Tribunal. At nine Months End they dismissed him from Prison, and would have perswaded him, that they dealt much more mercifully with him, than his Crime deserved.

Although, in other Cases, 'tis usual to distinguish between a Suspicion, and a Presumption, a Suspicion being no other than a Man's Opinion concerning a Crime, several of which Suspicions must concur to form a Pre-

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sumption of it, yet in the Cause of Heresy they are taken for the same. A Presumption or Suspicion therefore in this Affair is a probable Guess of a doubtful Matter, proceeding from the Nature of the Thing, or the Circumstances of Affairs or Persons. Presumptions arise from a Person's Country and Parents; but these are too general. Others arise from his Education, and the Manners of those with whom he converses. This is the Reason that the Inquisitors, in their first Examinations, so diligently ask the Criminals of what Nation, Country, Family, and Kindred they are, amongst whom they have been educated, who were their Masters, Instructors, Companions, and Friends. For these Things, and a thousand other such, are usually considered in doubtful Cases, that from hence they may draw more probable Proofs. They also consider the Sex. A Man may more easily be presumed guilty of Robbery. A Woman of Witchcraft. And farther, they consider the Age, Fortune, Difference of Condition, Nature of Mind, and Inclinations.

In the Cause of Heresy, Suspicion is threefold; Light, Vehement and Violent: A light Suspicion is that which arises from the external Signs of Actions and Words, by which such a Guess may be made, as may imply not indeed frequently, but seldom, and by Accident, that he who says or does such Things is an Heretick. This is inferred by a small Consequence. As if any one should argue thus: He is found to frequent private Conventicles, and in his Life and Manners departs from the common Conversation of the Faithful; therefore he is an Heretick, because Hereticks themselves are found to do such Things frequently. Such are lightly suspected of Heresy. But the Inquisitors teach, that such Persons ought not easily to be proceeded against in a Cause of such Importance. However, sometimes the very speaking to Hereticks hath not escaped without Punishment. Thus *Baronius* relates, *Anno 1234*, §. 14. *Acurfius*, the Son of *Aldobrandinus*, a Citizen of *Florence*, incurred the Canon, because, whilst he dwelt in *France*, he conversed with Hereticks. For 'twas, they thought, a Crime for any one so much as to salute them, contrary to the Apostolick Institutions. But as he was afterwards absolved by *Raymond Penafortius*, Penitentiary of the Apostolick See, Pope Gregory enjoined the Prior, and Friar Robert, and the rest of the Predicant Friars in *Paris*, that they should not any ways molest him, or suffer or command him to be molested.

A vehement Suspicion arises from such external Words and Deeds, which, when known, infer an Argument frequently conclusive; and because, as to most, he who doth or says such Things, is an Heretick; and

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and is usually taken for full Proof, if there be nothing proved to the contrary. Such are those, who being called to answer concerning the Faith, do not appear in the Time assigned them; such who knowingly hinder the Office of the Inquisition; who knowingly give their Counsel, and Assistance, and Favour to such Hinderers; who instruct Hereticks when cited to conceal the Truth, and speak falsely; who at any ways excommunicated upon Account of the Faith; who knowingly favour, defend, and receive Hereticks; who are infamous for Heresy, upon account of their Familiarity with such whom they know to be Hereticks; who knowingly accompany, visit, and receive Hereticks. He also who gives a Kiss to an Heretick, is vehemently to be suspected of Heresy, according to the Judgment of the Synod of Ferragane, according to this Decree: *It is likewise enquired, Whether he who gave a Kiss to one of the Inzibbati, or an Heretick, when he believed and knew him to be such a Person, or prayed with him, or concealed him, or heard preaching or reading from him, and believed him to be a good Man, is to be judged of as a Believer of his Errors? And we say that he is not. However, let such an one be condemned as a Favourer, or Concealer, and Benefactor, and vehemently suspected to believe his Errors; unless he should be so learned or discreet, as not to be able to pretend Ignorance.* And this we think proper to leave to the Pleasure of the prudent Judge. Besides these, such also are vehemently suspected, who are judicially convicted of Perjury, or a Lye, in a Cause of the Faith, and who have often done or said any Thing against the Faith, and the like; for all the particular Cases cannot be enumerated. They who do such Things, are said to be vehemently suspected.

Amongst these are reckoned also, such who knowingly give Ecclesiastical Burial to Hereticks, their Believers, Removers, Defenders, and Favourers, or who bury them in the Church-Yard, after a Christian Manner, with Psalms and Prayers. For he who knowingly buries those, whom the Church persecutes and condemns as Hereticks, is suspected of Heresy, doth, whatever he may think in his Mind, seem by Facts to declare and profess, either that the Church ought not to deprive such Persons of Burial, or that it is lawful to pray for Hereticks and their Believers, &c. because he buries them after the Manner of Catholics. But whether this Suspicion be only light, or vehement, skilful Men must judge of, according to the Quality of the Persons. The Punishment of such is Excommunication, from which they cannot be absolved, without proper Satisfaction, whether it be Abjuration or Canonical Purgation. Nor can they merit the Benefit of Absolution, unless they bury them with their own

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own Hands, and threw out the Bodies of such condemned Persons from their Graves.

The same Suspicion arises, if any one celebrates the Obsequies of such a Person after the Manner of Catholics, when such Heretick or suspected Person dies any where else, at *Genoa* for Instance, or any other Place, where Men live and believe heretical. And finally, if any one steals away and preserves the Ashes, Bones, Garments, or the like of burned Hereticks.

But if any one finds an Heretick, or a Believer or Favourer of Hereticks, or any such Person dead, in those Places in which he cannot easily accuse them before the lawful Judges, then he may inter them, but not in holy Ground, that so their unburied Bodies may not corrupt the Air; nor shall he hereby deserve any Punishment, or contract any Suspicion of Heresy. He must however report the Affair to the Judges, of the Faith, as soon as he can, that they may appoint what is needful to be done.

There is also another Kind of suspected Persons, viz. those who have said any thing scandalous or suspected, says *Simancas*, "No one ought to preach who is not examined and approved; but if any Preacher, thus examined and approved, shall have said any thing scandalous or suspected, the Inquisitor must summon him, and immediately compel him, either publickly to retract it, or to explain it to the People in a pious and catholick Sense; and he is moreover to be corrected and admonished, not to dare to preach such things for the future. But if he preaches any Heresy, he must be punished according to his Crime, and deprived of the Office of Preaching."

But lest the Popish Doctors should be easily rendered suspected of Heresy, and deprived of their Office by the Inquisitors, they generally make use of a certain Protestation, that by this Means they may escape Censure, as *Simancas* teaches. "Because 'tis dangerous to dispute about Matters of Faith and Religion, even tho' the Truth be spoken; therefore learned Men, wise and pious, when they treat of these Things, do with Prudence usually make a solemn Protestation, that they would not by any Means deviate from the Catholick Faith, but in all Things, and always embrace the Doctrine of the Universal Church, and willingly subject themselves to her Censure. After this they add a conditional Revocation, to this Sense: That if it shall happen that they have said or written any thing against the Catholick Faith, they do from henceforth retract it, and would have all understand that it was said or written through Unskillfulness or Imprudence, and not thro' Malice or Obstinacy." But lest any one should escape the Censure of the Inquisitor by such

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such kind of Protestations, *Simancas* adds these Limitations. "That such Protestation, though repeated a thousand times, doth not excuse, when any one willingly errs against the Catholick Faith; or when thro' Ignorance he errs in those things which he is explicitly required to know, unless possibly he is able to prove his Ignorance, or some Cause of his Error. But it will be of great Advantage to him when he errs in those things, which are so difficult, obscure and doubtful, that may sometimes escape the most learned Men. Because such an Error is supposed to arise more from Ignorance than Malice.

Suspicion also arises, that a Person thinks ill of some Doctrine or Institution, or Order of the Church, or some other Thing concerning which he must believe as the Church believes, viz. concerning the Power of the Pope, and Prelates, the holy Religions of the Monks, the Rites of the Sacraments, and other Things, if he treat them unworthily, injuriously and disgracefully; or if he defiles these excommunicatory Libels, which are commonly called *Cedulones*, by drawing nasty Figures upon them. Such Persons *Columna Marfilius*, Arch-bishop of *Salerno*, in a certain Answer contends, do belong to the holy Office, because, by this Action, they seem to think wrong of the Power of the Prelates, and to contemn the Censures of the Church, and to scoff at and disgrace the Church which uses such Censures. Farther, if any one persists in his Excommunication for two Years, or for one, he is suspected of Heresy. For then 'tis presumed that he thinks ill of the Sacraments of the Church, and its Power, because he despises its Excommunication. But if any one be excommunicated for Contumacy committed, in a Cause of Heresy, after a Year he is looked on as an Heretick, and may be punished as such.

Such also are suspected who converse with Hereticks, and from such Conversation there arise Signs sufficient to put such an one to the Torture, as *Garena* teaches.

A violent Suspicion, which is also called *de Jure*, is a certain Disposition of the Law, presuming something, and determining upon such Presumption, as tho' it were certain and known. Nor can any Proof to the contrary be regularly and directly admitted against such Presumption, because, as it proceeds from open and violent Marks, it is taken for a manifest Truth. It arises from external Signs of Actions or Words, by which it may be concluded effectually, and almost always, that he who says or doth these Things is an Heretick. As if heretofore any one should adore Hereticks, or reverence them after their Manner, or receive the Consolation or Communion from them, or do the like things belonging to their Custom.

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A Person lightly suspected, is enjoined Canonical Purgation, or even a light Abjuration. In this Case however the Proceeding must be cautious; because if any one falls into the like Suspicion after Abjuration, he must be more grievously punished.

A Person vehemently suspected is not an Heretick, nor can he be punished as an Heretick; but he must be commanded to abjure generally every Heresy, and especially that in which he offended, as a Person vehemently suspected. And this is no light Punishment; because if he afterwards relapses, either into his former Heresy, or any other, or associates with those whom he knows to be Hereticks, or affords them such Favour as is capable of no Excuse, he incurs the Penalty of the Relapsed. If he doth not consent immediately to abjure at the Command of his Judge, he is excommunicated; and if he continues under Excommunication for a Year he must be condemned an Heretick, and delivered over to the Secular Arm, and may in the mean while be punished with some lesser Punishment, at the Pleasure of his Judge, as particularly with a Fine.

But this only takes Place when the Criminal is vehemently suspected, and upon account of his Age, or State of Health, or any other Cause, cannot be tortured or purged. In such a Case he is carried out in publick, clothed with the penitential Habit, and is solemnly to abjure, and to forfeit the third Part of his Effects, more or less, at the Pleasure of the Judge. But these Penalties must be applied to the Expences of the Office of the holy Inquisition, nor can they be received as Payment of the Salary due to them, or their Ministers, as is more fully contain'd in a certain Command of the General Inquisition.

Who they are that are Defamed for Heresy, we are taught by the Council of *Trulensis*. Chap. 16. Such ought to be accounted Defamed, who are cried out against by publick Report, or of whose Defamation amongst good and grave Persons there is legal Proof before the Bishop of the Place. So that to the perfect Proof of such Defamation or Infamy for Heresy, two good and grave Witnesses suffice. But if they are vile and infamous, altho they are not to be defamed on this Account, so as to stop proceeding to an Inquisition from what they depose, yet such Defamation is not fully proved by them.

When once this Infamy is proved by Witnesses, they enquire, whether the Person inquired can prove himself to be of good Reputation, and thus put a Stop to the Inquisition concerning the Truth of the Crime, and take away the Proof of his bad Character. Here the Popish Doctors greatly differ. Some say, that the Proof concerning his good Character ought

ought not to be admitted, because it seems to be elusive. For if an hundred Persons should say such an one hath a bad Character, and another say that he is of a good one, the Proof of the good one doth not disprove him, because he still remains infamous in the account of others; and the Inquisition is to be made in regard of them. Others say, that the Report of the greatest Number is to be stood to, Others, that the Proof is to be admitted, but whether it affects the contrary Proof depends upon considering wherein the publick Report agrees; what is the Quality of the Witnesses and Persons, according to which the Judge is to determine which of the Proofs is valid. Others say, that either the Witnesses on both Sides depose concerning the Person's Character, as in the same Place and Time, and then the most credible Witnesses are to be believed; or the Witnesses on both Sides are equally credible, and then the greatest Number must determine, or the Number of them is equal, and then the most probable Proof is to take Place, and that Proof is to be accounted the most probable, which adds Weight to the Cause by any like Presumption.

The Punishment of one thus defamed, is Canonical Purgation, and some other ordinary Penalty, when the Defamation is fully proved. But if it is not fully proved, the Person cannot be compelled to a Canonical Purgation, unless there be fuller Proof, and other Signs and Tokens concur with the Defamation. They say it is the same, if the Infamy arises from Rivals and Enemies. This is sufficient to give a Beginning to the Inquisition, but not to enjoin Canonical Purgation, unless what they say be probable. Sometimes also Persons are defamed for Heresy upon this Account, that they have lived in Places defamed or suspected of Heresy, and from thence have come amongst the Papists.

A Person is said to be *relapsed*, upon a double Account, either into Heresy, or the Favouring of Heresy. One relapsed into Heresy is he, who after he hath been convicted, either by the Evidence of the Fact, or his own Confession, or by a legal Production of Witnesses, hath publicly abjured his Heresy, and is convicted of falling into it again. So that though a Person who falls into the same Error again and again without any solemn Penance intervening, or making an Abjuration or Canonical Purgation, may be truly said to be a Relapse, yet he cannot be punished as such, so as to be delivered over to the Secular Court, if so be he will repent. Of these relapsed Persons there are four Sorts. The first, when any one falls into the same Heresy he hath abjured. Here the Doctors dispute whether or no a Person who abjures as an Heretick before the Inquisitors Sub-delegate, and afterwards falls into the same or any other

Heresy, is to be accounted as a Relapse, if there be no Certainty of the Sub-delegation of that Judge before whom he abjures. However, in the City of *Coma*, a certain Woman, who had thus abjured, was given over as a Relapse to the Secular Arm, and burnt, by the Advice of the whole College of Counsellors in that City, and of the Bishop, and of *John Thomas Odesbalrus*, a Senator. It was determined also, after the same Manner, at *Mantua* in a like Case. The second, when any one falls into an Heresy which he abjured as vehemently suspected, but not if he only falls again into a vehement Suspicion of Heresy. The third, when after a general Abjuration of Heresy, he falls into an Heresy different from the particular one he abjured. The fourth, when after having abjured as an Heretick, he accompanies, visits, or Hereticks, lends them Presents, or grants them Favour.

The Gloss on the afore said cited Chapter only excepts the Case of Hunger, which excuses, provided it be violent. But this Exception was not allowed by the Supreme Council of the Spanish Inquisition, in which a certain Person was delivered over to the Secular Arm as a Relapse, who having been reconciled as a Moor, returned afterwards to some of that Sort, and would have excused himself by this Gloss, that he went to them upon account of Hunger.

So that in order to a Man's being accounted as a Relapse, *J. Royas* says it is necessary, that it be proved that the Criminal did fall into Heresy, and is now fallen again into it. The Proof, as to the first, must be true, or presumptive, as to the second legal. He therefore advises, that the Promoter Fiscal should be cautious in accusing the Criminal of his first Lapse, that he may not be obliged only to exhibit the first Sentence pronounced against such a Relapse, but that it may appear by the Confession of the Criminal, and the Instrument of his Sentence, that he was fallen into Heresy, and hath abjured. But even then the Criminal is to be heard, desiring to alledge and prove his Innocence. The same *Royas* says, that in the Inquisition of *Valencia*, there is an Apostolick Indult, which provides, that Persons relapsed, if Moors, and truly penitent, may be again reconciled to the Inquisitors, because new Converts should be more mildly dealt with. But this must not be extended to their Teachers, commonly called *Alfaquins*.

But besides these, there are two other Ways, by which a Person is accounted to be a Relapse. First, When he is found to be perjured after Abjuration. Secondly, When after Abjuration and Purgation, the Criminal hath not performed the Penance enjoined him by the Inquisitors.

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But between these and the former Sort of relapsed Persons, there is this Difference, that the former are to be left without any Mercy to the Secular Arm; but as to the latter, 'tis in the Inquisitors Pleasure to deliver them to the Secular Judgment or not.

However, all who do not observe the Penance enjoined them, are not promiscuously accounted Relapsed. This Penance is either altogether contrary to Heresy, viz. if the Penitent be commanded to abjure, to preach against his Errors, not to communicate with Hereticks, and the like. In this Case, if he doth not obey, they say he may be punished as a Relapse. Or the Penance tends to the Purgation of his Fault, viz. when Fastings, Prayers, and other pious Works, are enjoined the Penitent. In this Case he who doth not perform every Thing, may be punished with an arbitrary Fine. But *Simancas* is of a different Opinion, who thinks such Persons to be obstinate, impenitent, or any thing rather than Relapsed; and that therefore Penance ought to be again enjoined them at the Pleasure of the Judges, according to the Nature of their Crime.

In like manner he who is condemned to perpetual Imprisonment, and escapes out of it, is generally accounted as a Relapse, because his Conversion seems to have been feigned, and he himself to have fallen into his former Error. *Bernard Comensis* is of this Opinion. But *Simancas* rejects this Opinion as cruel and false, and says, such a one is an Impenitent, but not a Relapse. So that whilst he continues his Escape, and doth not satisfy the Penance enjoined him, he may be condemned as an Impenitent. But if either he returns himself, or is apprehended, and ready to satisfy the Church, then he is to be enjoined a greater Penance upon account of his Escape, but is to be kindly received into the Bosom of the Church.

As to the Punishment of the Relapsed, the Council of *Tarragone* hath formerly thus determined. Some Persons doubt, whether Persons relapsed into the Belief of Hereticks, and dogmatizing Hereticks, ought to be left to the Secular Judgment, if after they are apprehended they will repent. To us it seems that they ought not. But in every such Case they are to be condemned to Imprisonment. Thus also *Guido Fulcodius*, in a certain Consultation, answers. But if, which God forbid, such should relapse, they are not to be received without a publick Penance, which is elsewhere determined, unless it may possibly occasion any Scandal, and a greater Division, which we ought diligently to take Care of. But the Council of *Narbonne*, cap. 11. thus determines. As to those, who, after their Abjuration

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of Error and Purgation, shall be found to have fallen again into the Heresy they have abjured, leave them without farther Hearing to the Secular Judgment, to receive their due Punishment, since 'tis enough that such have once deceived the Church by a false Conversion. There is only this Difference, that if they repent, they are not denied the Sacraments of Penance and the Eucharist. Cap. Super eo de heret. lib. 6. But in Spain the Eucharist is generally denied to such Relapsed, upon account of the Danger which may happen by the Alteration which he receives, who is to be delivered over to the Secular Arm, and he is only allowed the Sacrament of Penance. Hence they say, that relapsed Penitents are reincorporated into the Church, which is done by the Sacrament of Penance, but that they are not reconciled to it, because the Sacrament of the Eucharist is necessary in order to it. But if they do not repent, they are delivered over to the Secular Court as obstinate Hereticks. But *Simancas* observes, that there are some who think, that relapsed Hereticks may sometimes obtain Pardon, viz. when any one really relapsed, and not yet accused, nor convicted by any Witnesses, secretly accuses himself to the Inquisitors, voluntarily confesses his Errors, and with Tears asks Mercy, being ready to undergo any Penance, because as to him there can't be that evil Suspicion, by which relapsed Persons are presumed to be feignedly converted. But *Simancas* himself is of Opinion, that this can't be defended, unless it be helped out with a favourable Interpretation, because the Judge is the Keeper and Minister of the Laws, and not the Lord of them. A Relapse into the Favouring of Heresy, is one who hath abjured such Favouring, and afterwards relapses into it, as the Council of *Tarragone* defines it. But whether this is to be understood, if they relapse into the same Favouring, or into any other, and whether both, or the former only, are to be delivered over to the Secular Court, and punished with Death, the Laws do not clearly determine. And therefore some think it the safest way, in such Case, to consult the chief Pontiff, or the Senate of the general Roman Inquisition. Besides these there are others, whose Crimes may be thought more properly to belong to another Court. But it sometimes happens, that they are said to be sprinkled with the Plague of Heresy, because they are suspected of it, and therefore must be inquired upon account of their Intention. Amongst these first occur those who read and retain Books prohibited upon account of Heresy. These are numbered amongst suspected Persons, and there are several severe Edicts of the Roman Pontiffs against them.

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Pius V. published a Bull upon the Festival of *Cena Domini*. In the first Chapter are excommunicated all Hereticks and Schismatics, of whatsoever Name or Sect, and all Favourers, Receivers, and Believers of Hereticks, and those who any wise knowingly read, keep in their Houses, print, or in any wise defend, for any Cause, publicly or privately, under any Presence or Colour, and in general all who defend their Books, without the Authority of the Apostolick See. *Pius IV.* recalled all Licences of reading and keeping such Books, by his Constitution, *March 24. 1564.* By these Letters he commands, that all Persons shall deliver and consign over all condemned Books to the Inquisitors of the Cities where such Books are. In like manner, those who retain them, cannot be excused, even though they keep them locked up in a Chest, so that no one can see or read them; because all such Excuses are cut off by this Sentence, and by the alledged Constitution of *Pius IV.* Again, those who print them are excommunicated; and also those who in any wise, or for any Cause, publicly or privately defend heretical Books, &c. and the Absolution of all such Persons is reserved to the Pope.

And that all manner of Leave of reading even the least Thing in a Book condemned for Heresy, may be cut off, they declare that they understand not only printed Books, but even Manuscripts and Parts of them, which they thus expound. He who reads that Part of the Books of Hereticks that are divided into Tomes, which doth not professedly contain Heresy, is not accounted to read a Book prohibited by the Bull *Cena*, even tho' the other Tomes should be heretical. But if a Tome contains Heresy, or treats of Religion, and it be divided into several Books, he who reads one of the Books of such a Tome, is said to read a Book prohibited by this Bull, even though the particular Book doth not contain Heresy, nor treat of Religion, and is bound up separately from the others. Yea, 'tis enough to say, that a Person hath read a prohibited Book, if he only just runs it over with his Eyes, adverting to the Things written in it, though he doth not mention one Word of it with his Mouth. And yet, which is strange, they add, that he who by Memory recites a prohibited Book, though he doth it with an evil Intention, is not accounted so to read it, as to incur the Censure pronounced against such who do; so observant are they of the Letter of the Law; though at the same time he incurs the Censure of the Bull, who reads a Book prohibited by it, tho' he doth not do it with an ill Design, but out of pure Curiosity, or to confute the Errors of Hereticks. But to a Man's incurring the Penalty of Excommunication, 'tis necessary that he should knowingly read it. So that

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that Ignorance excuses, but not when it is gross and affected, viz. when a Person pretends not to know that the Author of a Book was an Heretic, although he knew the Book treated of Religion, or that the Book treated of Religion, although he knew the Author to be an Heretic. He who keeps the aforesaid Books either in his own, or another's House, whether he understands the Book or not, whether it be the Whole or a Part, even so much as a single Leaf, whether he keeps it to read, or only for Curiosity and Ornament's sake, or to exchange for other Books, or to wrap up what he sells with the Leaves of it, incurs the Excommunication of the Bull. Likewise he who causes it to be printed, defends it, praises it, says it is not fit to be burnt or prohibited, or hinders its coming to the Inquisitors' Hands.

These are all suspected concerning the Faith, and may be punished by the Inquisitors as Suspected. But if any one doth not deliver an heretical Book to the Inquisitors, but burns it by his own Authority, he is not suspected of Heresy, though he falls into Excommunication; because *Julius III.* by a Constitution, commands, that such Books shall be really and effectually delivered up to the Inquisitors. When any one delivers up a Book to the Inquisitors, he must be interrogated by them whence he had it. He who keeps an Heretical Book, which hath not the Author's Name, is himself reputed the Author, unless he discovers his Name, and whence he had the Book. If any bring the Books of Hereticks, prohibited either for Heresy, or false and suspected Doctrine, to any Country of the Faithful, they are Favourers of Hereticks, incur Excommunication, have all their Goods confiscated, and if they are mean Persons, are whipped; but if they are of the better Sort, they are banished at the Pleasure of the Inquisitors. But these are not the only Punishments used. Tyranny prepares the Way for greater Cruelty. If there arises a vehement Presumption of Heresy, upon account of any one's reading, retaining, defending, or printing, the Books of Hereticks, and other additional Circumstances, they can make use of the Torture to find out the Truth.

The Circumstances are such as these. If the Persons inquired are learned. Secondly, If the Books contain Heresies. Thirdly, If they have kept and read them a considerable Time, and with Care, and have imported them from distant Countries. These Things render the Person vehemently suspected, and he may be tortured concerning his Intention and Belief of heretical Propositions, and his Accomplices, from whom he had the Books, and may be forced to abjure upon account of the

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the vehement Suspicion; and be banished at the Pleasure of the Inquisitors. Such who write out the Books of Hereticks, in order to print and publish them, and such who sell Paper and Ink for such Writing and Printing, if it be knowingly, are Favourers of Hereticks, and may be arbitrarily punished. Nor is he free from Punishment who reads and retains the Book of an Heretick, professedly containing Heresy, or treating of Religion, although he doth it with a Design to confute the Errors of it, and the Holy Office is apprised of such Design. For Instance, if in a House be searched, and prohibited Books are found in it, and at the same time such Writings as recite the Passages of such Books, and confute the Errors of them, although such a Person is free from all Suspicion of Heresy, and must not therefore be tortured or made to abjure, yet he is to be punished, and falls into the Excommunication of the Bull *de Cæna*, because he keeps the said Books without Leave, and by his own Authority; but must therefore be absolved from it again.

This Interdict of reading prohibited Books is so universal, that it comprehends even the Clergy themselves, and as most contend, the Bishops and very Cardinals, who cannot read the said Books without the Pope's Licence, because all Licences and Privileges were revoked by *Julius III.* in a Constitution; and afterwards by a Constitution of *Paul IV.* and of *Pius IV.* and by a Constitution of *Gregory XV.* published *Dec. 30. 1623.* and finally by a Constitution of *Urban VIII.* published *Ap. 11. 1638.* this Revocation was often confirmed. Hence it is that this Penalty is appointed against the Clergy who retain and read prohibited Books, that they are vehemently suspected, may be deprived of the active and passive Voice, suspended from Divine Services, deprived of the Offices of Reading, Preaching, &c. and farther be enjoined Fasting, Pilgrimages, &c. But if it be proved that a Person is taken for a formal Heretic, and is to be punished as such, he is not to be punished as such.

As to the Inquisitors, some will have them not to be comprehended in the Bull; others, that they are as well as others, unless they have particular Leave from the Pope himself, or the Congregation of the Cardinals of the Holy Office, who alone have the Power of giving this Licence, and not this unless it be in full Congregation, or at least not without the major Part of the Cardinals be present. And even this their Power some so far restrain, as to contend that the College of Cardinals cannot grant it during the Vacancy of the See. But whatever the Power of the Cardinals Inquisitors General in this Case is, 'tis limited by an express Exception of the Books of *Charles Molinæus*, the reading of which the Pope only can allow; according to the Constitution of *Clement VIII.* published

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published *An. 1602.* But in *Portugal* the Inquisitors General may, by the Concession of *Paul IV.* to Cardinal *Henry*, Dec. 10. 1602 grant Leave to the Inquisitors, and other Persons of approved Life and Religion, if they are proper, and skilful and learned in Divinity, and not at all suspected, to read any prohibited Books whatsoever, for this Reason only, to enable them to oppose and refute Hereticks. The same Power that is granted to the Inquisitors, is also understood to be granted to the Deputies of the Inquisition in the Kingdom of *Portugal*. Because, as they enjoy the Privileges of Inquisitors, and have a decisive Vote in Causes, and are Judges in Causes of Heresy, and can punish Hereticks, as well as burn their Books, they may read the same prohibited Books, which the Inquisitors themselves are permitted to read. This they may with much greater Reason do, who are of the Council of the Supreme Senate of the Inquisition.

Of Polygamists.

Polygamists are those who marry several Wives at once. The Tribunal of the Inquisitors takes Cognizance of their Cause, because they are suspected of Heresy, and are presumed to think wrong concerning the Sacrament of Matrimony, and to hold it lawful to have several Wives at once.

When a Polygamist is in the Prisons of the Holy Office, and he is known to be the self-same Person, either by his Confession, or by Witnesses, and when his Crime is proved, he is asked, Whether he truly believes that it is, and hath been lawful for a Christian Man, after the Evangelick Law, to marry several Wives at once. If he answers affirmatively, he is taken for a formal Heretick, and is to be punished as such. But if he answers negatively, and like a Catholick denying that he had any heretical Intention, but was rather enticed to a second Matrimony by the Lust and Concupiscence of the Flesh, he must be put to the Torture concerning his Intention, that the Judges of the Faith may certify themselves what the Polygamist truly thinks concerning the Faith, because the Crime of Heresy is secret, and lies hid in the Mind. This is peculiar to this Holy Office; though, according to the Laws of it, they rightly apply the Torture. For since the Fact which the Criminal confesses, or of which he is convicted, may be committed without any Error of the Mind, but for some other Cause, for Instance, Concupiscence, the Criminal is tortured concerning his Intention and Belief of those Things which

which he hath done. And thus we see, that 'tis a smaller Crime in the Church of *Rome* to marry two Wives thro' Lust and carnal Concupiscence, contrary to the Dictates of Conscience, than from some Error of the Mind, and with a Conscience that doth not condemn the Fact.

Polygamists are suspected of Heresy. In *Spain* they are only lightly suspected, and therefore, according to the general Custom of *Spain*, they must abjure only as lightly suspected. But in the Supreme Tribunal of the *Roman* Inquisition, they are vehemently suspected, and must abjure as such.

Yea, such who marry a second Wife, being ignorant that the first is dead, but yet bring Witnesses to prove that they had no Wife, although their actual Polygamy is not certain, yet they must abjure as vehemently suspected, and be condemned to the Gallies. *Carena* gives us an Instance of a certain Person of *Bologna*, who had married his first Wife there, and afterwards, having examined Witnesses, to prove he never had a Wife, married a second at *Naples*, being ignorant whether the first was dead. This Man was brought before the Pope, by the Sacred Congregation, *Octob. 19. 1620.* and being first put to the Torture concerning his Intention, he was forced to abjure as vehemently suspected, and condemned to the Gallies for five Years. Because, though his actual Polygamy was not certainly proved, yet, as to himself, he had consummated the Crime.

But if any one, during the Life of his first Wife, betrothes another, he is only lightly suspected, and must therefore only abjure as such. And they give this Reason of the Difference; because, in this Case, there is no actual Abuse of the Sacrament, but only an evil Disposition of Mind to abuse it.

After Abjuration these Polygamists are enjoined various salutary Penances by the Inquisitors, such as Fastings, Prayers, and the like, after which, he who hath married two Wives, is condemned to the Gallies for five Years; and if he hath produced false Witnesses to prove the Death of his former Wife, for seven Years and more, at the Pleasure of the Inquisitors, and is commanded to return to his first Wife. If they are of the ordinary sort of People they are generally beat, and have their Effects confiscated. And in some Places they have an infamous sort of a Mitre put on their Heads, and are afterwards beaten. In *Spain* they are condemned to the Gallies for ten Years. If any one hath married thrice or more, he is more grievously punished, and condemned for a longer while to the Gallies. Thus at *Rome, May 18. An. 1597.* four Polygamists

ministers were condemned to the Gallies in the Church of St. Mary *subra Minervam*, by the Supreme Tribunal of the Roman Inquisition; two of them for seven Years, who had married three Wives, and the other two for five Years, who had married two.

Of those who administer the Sacrament of Penance, not being Priests.

He who celebrates Mass, not being in Presbyters Orders, is subject to the Judgment of the Inquisitors, and opposes in Fact the Catholick Verity, according to the Constitution of Gregory XIII. The Evil of this Crime, according to *Sousa*, reaches to Idolatry, because those who thus celebrate, make the Faithful of Christ to adore Bread and Wine, as though it were the true Body and Blood of our Lord.

In like manner he who is no Priest, and yet hears Confessions, and gives Absolution, is said to abuse the Sacrament, and greedily to injure his Neighbour.

Such are vehemently suspected of Heresy, because they think, at least as to the very Fact, that other Persons besides Priests may be the Ministers of those Sacraments.

Such Criminals are to abjure as vehemently suspected, and are then delivered over to the Secular Arm to be punished with Death; but are first degraded from their Orders, if they are in any. Thus, *An. 1636.* and the following, two of these Criminals were delivered over to the Secular Court at *Naples*, and by Order of the Holy Council first hanged, and then burnt.

Urban VIII. commanded by a Letter of Cardinal *Mellinus*, to the Inquisitor General of *Portugal*, *March 5. 1622.* that Criminals confessing, or convicted of this Crime, should be absolutely delivered over to the Secular Arm, and punished with Death. But in as much as before these Letters they were not punished with Death in *Spain*, according to the Constitutions of *Gregory* and *Clement*, so *Sousa* affirms, that he never saw this Punishment inflicted in the Kingdoms of *Spain*, after the said Letters of Cardinal *Mellinus*. But this was the Method of Punishment there generally made use of, *viz.* that if the pretended Priest was a Layman, or vile Person, he was beat, and sent to the Gallies, and enjoined some Spiritual Penances. Or if he was a Person of Credit, or a Religious, he was sent to the Gallies. If of such Quality as that he could not be sent to the Gallies, he was banished, and if in any Order, suspended from it the whole Time of his Banishment. If the Offence was attended with any

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any aggravating Circumstances, they add other Punishments according to their Quality.

We have an Instance to this Purpose in the Book of Sentences of the *Thalouse* Inquisition, Fol. 122. A certain Countryman called *Rolland* believed he had a Power from the Lord to celebrate Mass, and to consecrate the true Body of Christ from common Bread, and the true Blood from Wine mixed with Oil and Salt, in a wooden Bowl that had a Foot to it, which he used instead of a Chalice. And thus he every Day sacrificed secretly in his own House, upon a Coffin covered over with a Linnen Cloth, and often communicated of that Bread, believing it to be the true Body of Christ. After four Years he was thrown into Prison, and was very difficultly prevailed with to abjure his Error. But whilst he was in his Imprisonment, he was found to have relapsed into the same Error, and to have repeated this Ceremony. But before he was punished as a Relapse, he died in Prison, without a Confession of his Sins, and the Sacrament of the Eucharist. The Inquisitors commanded his Body to be taken up and burnt.

Raynald gives us another Instance of one, who did not indeed celebrate or administer the Sacrament of Penance as a Priest, though he really was none, but who said he was a Bishop, though he had not the Pope's Bull, and as such consecrated Priests. And because he was made an Example of extreme Cruelty, I will here relate the Matter exactly as I find it in his Annals.

"*Janus* the Priest, a false Minorite, born in the Duchy of *Fuliers*,
" forged the Pope's Bull, and declared in the *Netherlands* that he was a
" Bishop; and although he had not been ordained a Bishop, he conse-
" crated Priests by a false Ceremony in several Diocesses of *Germany* and
" the *Low Countries*. At length he was convicted of his Wickedness,
" and the Magistrates of *Utrecht* thought fit, not to condemn him to the
" Flames, that he might be quickly consumed, but to be gradually burnt
" by boiling Water, that so they might conquer his Obstinacy, because
" he most impudently refused to acknowledge his Crime. But being
" gradually let down into the boiling Cauldron, and overcome with the
" Extremity of the Pain, he detested his Wickedness, and pray'd that he
" might receive a milder Punishment. His Judges being moved with
" Compassion, ordered him to be taken out of the boiling Cauldron, and
" then to be beheaded. Most of those who were consecrated by him,
" were re-consecrated by some other Bishop, whilst others returned to the
" World and married, all his Acts being null and void."

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Of Soliciting CONFESSORS.

By these are understood such Confessors, who, in the Sacramental Confession, solicit and provoke, or attempt to solicit and provoke, Women to dishonourable Actions. *Paul IV.* *An.* 1561. *Ap.* 16. published a Bull against such Persons, directed to the Archbishop of *Seville*, and *Pius IV.* another, *Ap.* 6. 1564. and the Supreme Inquisitors General an Edict, approved by *Clement VIII.* But those Bulls, and that Decree, seem only to take place in *Spain*, because the Bulls were directed to the Archbishop of *Seville*, and the Decree of the Sacred Congregation expressly restrained to the Places of *Spain*. But in the Year 1612. in the Month of *April*, it was decreed by *Paul V.* that all the Inquisitors should be admonished to command the Confessors, to abstain from all and every sort of Solicitation, and to proceed rigorously against all those who did not. And finally, there is extant a Constitution of *Gregory XV.* published *Aug.* 30. 1622. in which he confirms the Letters or Bull of *Paul IV.* and commands it to be firmly and inviolably observed, not only in the Kingdoms of *Spain*, but in all other Parts of the Christian World. And because the Words of that Bull about the Middle of it, *Whatsoever Persons, and whatsoever they shall be which they solicit*, are general, from this Generality of the Words they conclude that they extend also to Confessors, who solicit Boys in the Sacramental Confession.

The Incontinence of the Priests gave Occasion to these Edicts and Bulls, viz. because, as the Words are in the Bull of *Paul IV.* *Certain Priests in the Kingdom of Spain, and in the Cities and Diocesses thereof, having Cure of Souls, or exercising such Cure for others, or otherwise deputated to bear the Confessions of Penitents, have broken out into so heinous an Iniquity, as to abuse the Sacrament of Penance in the very Act of hearing Confessions, and thus are not afraid to injure this Sacrament itself, and him who hath appointed it, the Lord God and our Saviour Jesus Christ, by enticing and provoking, or trying and procuring to entice and provoke penitent Women to lewd Actions, whilst they are hearing their Confession.*

When this Bull was first brought into *Spain*, all Persons were commanded by a publick Edict, solemnly published throughout all the Churches of the Archbishoprick of *Seville*, that whatsoever knew or had heard of any Monks or Clergymen, who had abused the Sacrament of Confession to these Crimes, or had in any manner acted in this vile Manner at Confession with their Daughter or Daughters, they should discover him

him within thirty Days to the Holy Tribunal; and very grievous Censures were annexed to such as should neglect or contemn it. When the Decree was published, so large a Number of Women went to the Palace of the Inquisitors in the City of *Seville* only, to make their Discoveries of these most wicked Confessors, that twenty Secretaries, with as many Inquisitors, were not sufficient to take the Depositions of the Witnesses. The Lords Inquisitors being thus overwhelmed with the Multitude of Affairs, assigned another thirty Days for the Witnesses; and when this was not sufficient, they were forced to appoint the same Number a third and a fourth time. For as to Women of Reputation, and others of higher Condition, every Time was not proper for them to apply to the Inquisitors. On one hand their Conscience forced them to a Discovery through a superstitious Fear of the Censures and Excommunication; and on the other hand, their Regard to their Husbands, whom they were afraid to offend, by giving them any ill Suspicion of their Chastity, kept them at home; and therefore veiling their Faces after the *Spanish* Custom, they went to the Lords Inquisitors, when, and as privately, as they could. Very few, however, with all their Prudence and Craft, could escape the diligent Observation of their Husbands at the Time of Discovery, and thereby possessed their Minds with the deepest Jealousy. However, after so many had been informed against before the Inquisitors, that Holy Tribunal, contrary to all Mens Expectations, put a Stop to the Affair, and commanded all those Crimes which were proved by legal Evidence, to be buried in eternal Oblivion.

Women thus solicited are admitted to prove this Offence, viz. If the Woman be of an approved Life, and the Confessor be given to the Sins of the Flesh; but not if the Woman be scandalous, and a Whore; and if they do not appear voluntarily before the Inquisitors, but are forced by their Confessors, upon their Refusal to absolve them, unless they discover the evil Confessor. Hence it comes to pass, that the Deposition of several Women is not sufficient for the Conviction of a Confessor. Thus *Catena* reports, that by Order of the Sacred Congregation of the Supreme *Roman* Inquisition, a Parish Priest at *Naples* was not accounted as convicted, though several Women deposed that he had solicited them, most of whom he had attempted by Touches and Signs, and one by Words. He was only tortured by Order of the same Congregation; and, confessing nothing, suspended for a Year from his Cure.

However, the Deposition of a Woman only is not sufficient Proof for the Apprehension or Torture of the Confessor, unless he himself hath a

bad Character, because they never proceed to torture, unless the Crime be half proved. So that, as they teach, since two Women are not enough to make a full Proof, one cannot be sufficient for the half Proof.

But if the Crime be half proved, the Confessor may be tortured, to make him confess the Act. If he confesses it, or is fully convicted of it, and denies an heretical Intention, he is to be tortured as to his Intention, viz. to discover whether he believed, that it was lawful to abuse the Sacrament of Penance to lascivious Actions, and to use the Sacrament as a Means, to obtain such Purposes.

In *Spain* these soliciting Confessors are only lightly suspected, because the *Spaniards* consider it rather as proceeding from Lust, than an Intention to abuse the Sacrament of Penance. But in *Italy* they are vehemently suspected; and therefore whereas in *Spain* they abjure only as lightly suspected, in *Italy* they abjure as vehemently. So *Carent* gives an Instance, of a certain Confessor in one of the Cities belonging to the Territories of *Cremona*, who abjured as lightly suspected for this Crime of Soliciting, but was forced to abjure again as vehemently suspected at *Cremona*, by Order of the Supreme Tribunal of the City of *Rome*.

Besides salutary Penances, such as Fasting, Prayers, and the like, such Confessors are usually condemned to the Gallies for five or seven Years; to perpetual Imprisonment; yea, sometimes at the Pleasure only of the Cardinals Supreme Inquisitors, they may be delivered over to the Secular Arm, as the Constitution of *Gregory XV.* plainly directs. They are also to be suspended for ever from hearing Confessions, to be deprived of their Benefices, Dignities, active and passive Vote, at the Pleasure of the Inquisitors. Such Confessors as are Regulars, may also be enjoined to be in the last and lowest Place amongst the Regulars of their Monasteries. Sometimes the Inquisitors must command, that the Sentence against a Regular Confessor shall be read publickly in the next general Chapter of their Religion, as a Terror and Example to others.

Yea, sometimes, according to the Heinousness of the Offence, a more grievous Punishment is inflicted. *John Stock*, Notary of the Apostolick *Rota*, relates, in a Letter written at *Rome*, October 8. 1564. to *J. Hensberg*, a Divine of *Cologne*, a remarkable Instance of this. These Hretches of ours are not so Holy as they appear. They walk in the Likeness of Sheep, but within are ravening Wolves, and their pretended Sanctity is a double Iniquity. They are under the Influence of a strange Ambition. The Venetians ordered one of them to be burnt alive, by Command of the Pope. He had been Father Confessor to some Nuns in the Dominions of *Venice*, and

had got twelve of them with Child, amongst whom the Abbess and two others had Children in one Year. As he was confessing them, he agreed with them about the Place, Manner, and Time of lying with them. All were filled with Admiration and Astonishment, taking the Man for a perfect Saint, he had so great a Shew of Sanctity in his very Face. Epist. ad Belgas, Cent. I. Ep. 68.

CHAP. X.

OF BLASPHEMERS.

THERE are two Sorts of Blasphemers. Some who do not utter heretical Blasphemies, who do not belong to our History; and others who throw out Blasphemies that are heretical, and who are therefore subject to the Judgment of the Inquisitors. J. Royas argues concerning them in this manner. "Tis very often a Matter of Doubt in the Court of the Inquisition, what Blasphemies may be said to be heretical, to make the Cognisance of them belong to the Inquisitors. But, according to the common Custom, and agreeable to Law and Reason, these Words are heretical, *I deny God, I do not believe in God.* In Spanish, *Discreo de Dios, reniego de Dios, o reniego de la fe, o de la cruz, o Crisma, a que teng o en la trente, o reniego de la puridad de nuestra senora, i. e. I do not believe in God, I deny God, or I deny the Faith, or the Cross, or the Chrism, which I have received in my Forehead, or I deny the Virginity of our Lady.* These Words are said to be heretical Blasphemies, and the Inquisitors have Cognisance of them, because they have an Infidel Signification, and a Denial of the Faith, and are directly opposed to a Confession of the Faith. But other Blasphemies, viz. *Peje a Dios, por vida de Dios, voto a Dios, malgrado aya Dios, o despecho de Dios,* and the like, i. e. let it trouble God, by the Life of God, I vow to God, God's Curse on you, or God spite you, are not heretical, because not opposed to a Confession of the Faith, although they are absolutely Blasphemies. The Punishment of these belongs to the ordinary Judges. In Italy also, tis not reckoned Blasphemy: If any one says, *Al corpo di Dio, o dira vel putana di Dio becco; vel al dispetto di Christophero, or putana della virgine Giovanna;* i. e. Body of God, or he will say, &c. or in spite of St. Christopher; or the Whore of the Virgin Joan.

'Tis

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'Tis disputed amongst the Doctors whether this be Blasphemy, *Al dispetto, che non vo dir di dio*; or, *putana, che no vo dir della V. M.* In spite, not meaning God; or *Whore, not meaning the Virgin Mary*; which some deny, and others affirm. But these are accounted heretical Blasphemies: *Dio partelano, & putana della Virgine*, i. e. *The Whore of the Virgin*, although the Word *Mary* is not pronounced; as is also this; *Dio becco diavolo*, if pronounced by any one who is accustomed to utter heinous Blasphemies against God. According to *Royas*, "Heretical Blasphemy, though spoken conditionally, is to be punished by the Inquisitors of the Faith; as for Instance, *I do not believe in God, unless I will strike you*. Because this conditional Blasphemy contains in it a pure affirmative Impliciteness, viz. that if he could not kill him without not believing in God, he was prepared willingly to do so. They also proceed very severely against an execrable Custom that hath crept into the Kingdoms of *Aragon* and *Valencia*, viz. of swearing by the Members of God, which is greatly blasphemous; and by the Members of Christ, which is great Irreverence, and from both these there arises great Suspicion of Heresy.

These Blasphemies, according to the Quality of the Words and Persons, and the Circumstances of Times and Places, are esteemed more or less wicked and horrible. *Pegna* "thinks those are to be reckoned amongst the greatest, which are uttered against the most Holy *Mary*, Virgin Mother of God. And altho' Blasphemers regularly think differently in their Mind from what they say, yet they belong to the Judgment of the Inquisitors, because by blaspheming they are thought to put on the Person of one who thinks agreeable to what he himself had spoken; and since by the external Act they give some Token of Infidelity, therefore certain Blasphemies are subject to the Jurisdiction of the Judges of the Faith, that they may understand, whether Blasphemers do really think as they speak."

Heretical Blasphemers are punished in this Manner by the Inquisitors. If the Blasphemy be very heinous, and the Blasphemer a mean Person, he is made to wear an infamous Mitre, hath his Tongue tied, and pinched with an Iron or Wooden Gag, is carried forth as a publick Spectacle without his Cloak, whipt with Scourges, and banished. But if he be a Person of better Condition, or Noble, he is brought forth without the Mitre, thrust for a Time into a Monastery, and punished with a Fine. In smaller Blasphemies they are dealt with more gently at the Pleasure of the Inquisitors, viz. the Blasphemer is condemned to stand during Divine Service,

Service, upon some Holiday or other, with his Head naked, without his Cloak, and Shoes, his Feet naked, a Cord tied round him, and holding a burning Wax-Taper in his Hands. Sometimes also they squeeze his Tongue with a Piece of Wood. After Divine Service is over, his Sentence is read, by which he is enjoined Fastings, and a Fine.

This Punishment, however, doth not take place as to a Clergyman, as *Carera* observes. For if a Clergyman was to appear without his Shoes, and with an Halter about his Neck, and thus stand at the Gates of the Church before the People, the Clerical Order, and the Ministry of the Clergy, would suffer Disgrace; and it would become the Wonder and evil Example to the Laity, if the blaspheming Clergy were thus exposed. He adds, that he never saw this Punishment inflicted by this Tribunal on noble Persons, who, altho' they are not to be more mildly punished for their Nobility, yet may be excused from such Punishments which do of themselves render Persons infamous; and receive other Punishments in the room of them. And because such who accuse themselves to blasphemous, though they do it in Passion, are vehemently suspected of Heresy, they are forced to abjure as thus suspected. Thus *Diana* relates, that in the Inquisition in Sicily, two Blasphemers were made publickly to abjure, as vehemently suspected, Dec. 16. 1633. in the Presence of the Judge himself. But in smaller Blasphemies, because they are but lightly suspected, they only abjure as such. But in these Cases the Inquisitors mostly act according to their own Pleasure, who have an ample Power of judging according to the Nature and Heinousness of the Crimes. *Gonsalvus* tells us of a certain Person who had a Quarrel with a Clergyman of *Ecy*, a City in Spain, who accidentally said, in the Hearing of others, that he could not believe that God would come down into the Hands of so profligate an Adulterer. The Vicar of the Ordinary fined him for the Speech. But the Clergyman, not contented with this Revenge, afterwards accused him of Blasphemy at the Tribunal of the Inquisitors at *Seville*. Nor did the Fine to which he was before condemned by the Ordinary prevent his being taken up by Command of the Inquisitors, imprisoned for a whole Year, brought out in Triumph without Cloak or Hat, carrying a Wax-Candle in his Hand, his Tongue gagged with a wooden Gag, thus to punish his Blasphemy; and being forced to abjure as lightly suspected, he was fined a second time.

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CHAP. XI.

Of DIVINERS, FORTUNE-TELLERS, and ASTROLOGERS.

FORTUNE-Tellers and Diviners are distinguished. For there are some who act merely by the Art of Divination; such as tell Fortunes by looking into the Palms of the Hand, and Judiciary Astrologers. Others who exercise Divination by Lots, with the Addition of some heretical Word or Fact: As if any one in telling Fortunes about Sweethearts, should deny God and the Sacraments of the Church; or should mingle any of the Sacraments of the Church with his Fortune-telling; or those Things which the Divines call Sacramental; as if he should baptize Images, rebaptize a Child, or only anoint him with Holy Oil, or incense the Head of a Person dead, or do any of the like Things to divine future Things, or use a Candle and Holy Water to discover stolen Goods. All these Things render the Doer suspected; for unless he had believed such Sacraments or Sacramentals had some Virtue to effect such evil Operations, he would not have used them for this Purpose. So that the Inquisitors take diligent Care to interrogate them concerning their Belief, and if they deny the Intention, they are tortured; and if they do not confess, they may be made to abjure as vehemently suspected. They may also be punished with Excommunication, Suspension of Dignities, Whipping, Banishment, Imprisonment in Monasteries, and other Punishments, according to the Quality of the Persons. They may also be publicly brought forth, wearing the infamous Mitre, or be disgracefully tied to a Ladder near the Gates of the Church, and be banished from the Diocese.

As to Judiciary Astrologers, their Art is generally condemned as superstitious. But there is one Species of it, which the Doctors pronounce erroneous and heretical, viz. that which professes to foretel the Mysteries of our Faith by the Stars. In like manner they are condemned as rash Astrologers, who pretend they are able to foretel by the Stars certain Things concerning the State of the Church, Life or Death, or the Assumption of the Chief Pontiff. Pope Urban VIII. by a Constitution, published April 1652. hath appointed, that Judiciary Astrologers, who make Judgments concerning the State of the Christian Republick, or Apostolick See, or the Life of the Roman Pontiff, or his Kindred, or who, when made, keep them in their own Possession, or shew them to

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others; on speak of them by Words, besides the Punishment of Excommunication which they shall, *ipso jure*, incur, shall be punished with Death, as guilty of High-Treason, Confiscation of Effects, and that if they are of the Clergy, they shall be punished with Deprivation of their Benefices and Offices.

We have also Instances of very grievous Punishments inflicted on these Judiciary Astrologers, one of which may be seen in *Baronius*, under the Year 1327. *Baronius* his Words are, "*Francis Afulanus* was thrown into Prison at *Florence*, and burnt, being by Name convicted of Blasphemy, Heresy, and Judiciary Astrology; as also of other damned Arts," and was condemned by the Inquisitors of the Faith." After this he subjoins a Catalogue of the Crimes objected to him, from which it appears, that most of them were taken from Judicial Astrology.

C H A P. XII.

Of WITCHES.

WITH these Fortune-Tellers, are properly joined Witches or Hags, which in *Italy* they commonly call *Strigie*, from their Resemblance to the Screech-Owl, a Night and troublesome Bird, because they are reported to deal in their Witchcraft principally at Night, and to suck the Blood of Infants. Others call them Sorceresses, Charmers, and the like. They are said to have been a Sect of People, principally Women, who arose in *Italy* in the Year 1400. They gather together in certain Places near Towns and Villages, at particular Times, and especially the Night preceding *Friday*, when the Devil appears to them in a visible human Shape. When they enter into this Gang, they first, and before all Things, do, by the Devil's Command, deny their holy Faith and Baptism, the Lord God, and the Blessed Virgin *Mary*, and after this, trample under their Feet on the Ground, a Cross made by one of the Witches. After this, they promise Allegiance between the Hands of the Devil, taking him for their Lord, and promise Obedience to him in all Things. As a Token of all this, they put their Left-hand behind their Back, and touch the Devil's Hand, and offer him somewhat as a Mark of their Subjection. From henceforth they are said to believe the Devil to be their true Lord and God, and as often as they go to their nightly Assemblies,

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which they call the Play of good Fellowship, they worship the Devil appearing in human Shape; and by bowing their Head profoundly down, adore him as their true God. 'Tis reported of them, that they go to this Assembly or Play, truly and corporally, when awake, and in their perfect Senses: If the Place be near they go on Foot; if distant, they are carried by the Devil through the Air.

We think it unnecessary to perplex our Readers (who doubtless, tired with their length, would have passed them over) by the Addition of all that the Canonists and Doctors of the Romish Church have written concerning the Practices of Witches, judging it better to insert such Relations as we could pick up from Writers of Note amongst them, in order to set this Point in its true Light, and at the same time to furnish our some Entertainment to the Peruser.

Of this Kind is the following History, transcribed from a Spanish anonymous Writer on this Subject, but mentioned and vouched for Truth by Paulus Grillandus, an Author of great Note, which will very fully shew what unaccountable Stories are still credited in Popish Countries, and how ready they are to persecute every old Woman to whom her Neighbours give an ill Name, a Custom long exploded among wiser Nations.

In Italy there was a Woman, who through the Temptations of the Devil, entered into the detestable Society of Sorcerers, and practised all their Abominations, so that she went and came so often from those Assemblies, that her Husband began to suspect the Matter, and charged her with it, at the same time promising if she would confess the Truth, he would never divulge the Secret; but she, with many Oaths, and Protestations, deny'd her knowing of any such wicked Things. This Denial did not satisfy her Husband; he had by Accident seen some Actions which convinced him, that his Suspicions were too true, and therefore he resolved to watch her more narrowly for the future. At last, some short time after, he observed, one Night, that she had locked herself into a little Chamber. He had made Peep-Holes in every Room in the House, so that he could plainly see whatever was done in them. He had not waited long, before he saw her anon herself with a strange kind of Ornament, which she had no sooner done, but he thought that she was transformed into a Bird, and that she flew out at the Window. He instantly lost Sight of her, tho' he had kept his Eyes all the time most intently fixed upon her; whereupon, going down Stairs, he found his Street-door fast shut, and taking the Key out, he went to Bed, exceedingly amazed at what he had seen. But what encreased his Surprise yet more, was, when he awaked

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awaked in the Morning, he found his *Wife* lying by his *Side*. Upon this, he again taxed her with having Skill in *Sorcery*, and she again with Oaths protested her Innocence. He bid her hold her Peace, for he had seen plainly, her whole Proceedings; and thereupon recounted to her the Particulars. This put her into great Confusion, yet she still persisted, with horrid Oaths, to deny every thing; which so much provoked her Husband, that, starting out of Bed, and taking a good Cudgel, He thrashed her Bones so soundly, that he brought her to a full Confession, on Condition, that he would forgive her, and never disclose a Word of it to any body; which he having promised, she revealed to him all the secret Mysteries of her wicked and damnable Science. Which her Husband hearing, began to have a great Desire to see the manner of their Meetings, if it could be done with Safety. She assured him it might, after she had obtained *Satan's* Leave. Things being thus agreed, at Night they both shrouded themselves, and were carried to the wicked Assembly. The Man having gazed about him, and beheld diligently all the *Devilish* Ceremonies that passed, at length sat himself down at a Table with the rest, on which was placed great Variety of *Meats*, which seemed to the Eye extremely fine and delicious; but when he had tasted several of them, he found they had a very unsavory Relish; upon which, he began to call for *Salt*, seeing there was none upon the Table, but none being brought, he began to be very importunate for it; at last, one of the *Devils*, to please him, set a *Salt* on the Table. The Sight of the *Salt* made the poor Man forget his *Wife's* Admonition, which was, that he should not mention one Word that was Good or Holy while he was in that Company; God bless me, cry'd he, I thought the *Salt* would never have come! Which Words he had no sooner spoken, but all that was there vanished away, with a most terrible Noise and Tempest, leaving him in a Trance; out of which, as soon as he recovered, he found himself stark-naked in a Field, where he walked up and down in great Sorrow and Anguish of Spirit till Day-light; at which time he met some *Shepherds*, of whom he enquired in what Country he was, and to his great Grief he found, by their Answer, that he was above an hundred Miles from his own House, to which, with much ado, making the best Shift he could, at last he returned, and gave a full Account of all that had happened before the *Inquisitors*. Whereupon, his Wife, and many others, whom he accused, were apprehended, arraigned, found guilty, and burnt.

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The Second Instance we shall produce, is from the Works of *Alonso a Castro*, a very celebrated Spanish Divine, one of the Doctors in the Council of Trent, and who is said to have wrote as well as any Catholic against *Luther*. The Passage underwritten is taken from his Book, *De justis punitiōis Hereticorum*, p. 95. and is a Description conformable to the Records of the Inquisition.

The first time, says he, that they, i. e. the Hags, present themselves before the Devil to do him Homage, they find him not in the Likeness of a Goat, but like a King of great and royal Authority: They are brought into his Presence by other Devils, in Figure of Ram Goats, whom they call *Martinetts*: Moreover, the Reverence and Homage which they do unto him, is not like to that which we use unto Princes, but consists in turning their Shoulders, and bowing down their Heads as low as they can: He which is newly assumed into this Brotherhood, doth first, wickedly and abominably, blaspheme and renounce all the Holy Points and Mysteries contained in the Catholic Belief, promising unto the Devil his faithful Service for ever, with many other execrable Ceremonies, Vows, and Oaths, which he there useth. This being accomplished, they mingle themselves all together, and many Devils with them in the Likeness of young Gentlemen, and some of beautiful Dames, where without Shame or Respect, they fulfill in all Abomination their filthy Lust, and beastly Appetite: Of this Company, the far greater Part are *Wemen*, they being, through Frailey, and Ignorance, readiest to be deceived by the Devil, and aptest thereunto, through the Lust of the Flesh. These Women are called *Lamia*, and *Striges*; because *Lamia* is a most cruel Beast, which hath the Heart of a Woman, and the Feet of a Horse; and *Striges* is a Bird that flyeth by Night, making great Shrieking and Noise: If it can get into any Place where Children are, it sucketh out their Blood; for which Reason, the Sorcerers are also called *Striges*, because they work the same Effect, sucking out the Blood of Men, when by any Means they may, especially that of little Children.

To these Narrations, that we may as much as possibly relieve the Minds of our Readers, by intermingling those wonderful Marks of Credulity which are left us by Authors of some Reputation, we have thought fit to add two most extraordinary Histories, copied by the Learned Doctor *Henry Mora*, from the Preface of *Weinrichius*, a Silesian Physician, to a Treatise composed by the Famous *Ricus de Mirandula*, bearing the Title of *Strix, sive de Ludificatione Daemonum*; which we the rather mention, because

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cause in our own Time the same Thing has been said to happen in that Country, and Punishment been decreed against the Dead.

A certain Shoemaker in one of the chief Towns of *Silesia*, in the Year 1591. September 20. on a Friday betimes in the Morning, in the furthest Part of his House, where there was adjoining a little Garden, cut his own Throat with his Knife. The Family, to cover the Foulness of the Fact, and that no Disgrace might come upon his Widow, gave out, that he died of an Apoplexy, declined all Visits of Friends and Neighbours, and in the mean time got him washed, and laid Linen so handsomely about him, that even they that saw him afterwards, as the Parson, and some others, had not the least Suspicion, but that he dy'd of that Disease, and so he had honest Burial, with a Funeral Sermon, and other Circumstances, becoming one of his Rank and Reputation. Six Weeks had not passed, but so strong a Rumour broke out, that he dy'd not of any Disease, but had laid violent Hands upon himself, that the Magistracy of the Place could not but bring all those that had seen the Corps, to a strict Examination. They shuffled off the Matter as well as they could at first, with many fair Apologies, in behalf of the Deceased, to remove all Suspicion of so heinous an Act: But it being pressed more home to their Consciences, at last they confessed that he died a violent Death, but desired their Favour and Clemency to his Widow and Children, who were in no Fault, adding also, that it was uncertain, but that he might be slain by some external Mishap; or, if by himself, in some irresistible Fit of Frenzy or Madness. Hereupon, the Council deliberated what was to be done; which the Widow hearing, and fearing they might be determining something harsh, and to the Discredit of her Husband, and herself, being also animated thereto by some Busy-bodies, makes a great Complaint against those that raised these Reports of her Husband, and resolved to follow the Law upon them, earnestly contending, that there was no Reason, upon mere Rumour, and idle Defamations of malicious People, that her Husband's Body should be dugged up, or dealt with as if he had been either a *Magician*, or *Self-Murderer*: Which Boldness and Pertinacy of the Woman, tho' after the Confession of the Fact, did in some measure work upon the Council, and put them to a Stand, and his body was not dugged up

But while these Things were in Agitation, to the Astonishment of the Inhabitants of the Place, there appears a *Spectrum* in the exact Shape and Habit of the Deceased, and that not only in the Night, but at Mid-day. Those that were asleep, in terrified with horrible Visions; those that were waking

waking it would strike, pull, or press, lying heavy upon them like an *Ephialtes*; so that there was perpetual Complaints every Morning of their last Night's Rest, through the whole Town: But the more Freaks this *Spectrum* play'd, the more diligent were the Friends of the Deceased to suppress the Rumours of them, or at least to hinder the Effects of those Rumours; and therefore made their Addresses to the President, complaining how unjust a thing it was, that so much Credit should be given to idle Reports, and blind Suspicions; and therefore beseeched him, that he would hinder the *Council* from digging up the Corps of the Deceased, and from all ignominious Usage of him: Adding also, that she intended to appeal to the *Emperor's Court*, that their Wisdoms might rather decide the Controversy, than that the Cause should be determined from the light Conjectures of malicious Men.

But while by this Means the Business was still protracted, there were such Stirs and Tumults all over the Town, that they are hardly to be described: For no sooner did the *Sun* hide his Head, but this *Spectrum* would be sure to appear, so that every body was fain to look about them, and stand upon their Guard, which was a sore Trouble to those whom the Labour of the Day made more sensible of the want of Rest in the Night; for this terrible *Apparition* would sometimes stand by their Bedsides, sometimes cast itself upon the midst of their Beds, would lie close to them, and pinch them, that not only blue Marks, but plain Impressions of his Fingers, would be upon sundry Parts of their Bodies in the Morning: Nay, such was the Violence and Impetuosity of this *Ghost*, that when Men forsook their Beds, and kept in their Dining-Rooms with Candles lighted, and many of them in Company together, the better to secure themselves from Fear and Disturbance, yet he would then appear to them, and have a Bout with some of them, notwithstanding all this Provision against it. In brief, he was so troublesome, that the People were ready to forsake their Houses, and seek other Dwellings; and the Magistracy so awakened at the perpetual Complaints of them, that at last they resolved, the *President* agreeing thereto, to dig up the Body.

He had lain in the Ground near eight Months, *viz.* from *September 22*, to *April 18. 1592*, when he was dug up, which was in the Presence of the Magistracy of the Town. His Body was found entire, not at all putrified, nor no ill Smell about him, saving the Mustiness of the Grave-Cloaths; his Joints limber and flexible, as in those that are alive, his Skin only flaccid, but a more fresh grown in the room of it, the Wound of his Throat gaping, but no Corruption in it; there was also found a *Magical Mark*

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in the great Toe of his right Foot, viz. an Excrefcency in the Form of a Rose. His Body was kept out of the Earth from April 18, to the 24th; at which time many, both of the same Town, and others, came daily to see him. These unquiet Stirs did not cease for all this, which they after attempted to appease, by burying the Corps under the Gallows, but in vain; for they continued as bad as ever, if not worse; he now not sparing his own Family; insomuch, that his Widow at last went herself to the Magistrates, and told them, that she should no longer be against it, if they thought fit to fall upon some Course of more strict Proceedings, touching her Husband.

Wherefore, the Seventh of May he was dug up again, and it was observable, that he was grown more sensibly fleshy since his last Interment. To be short, they cut off the Head, Arms, and Legs of the Corps, and opening his Back, took out his Heart, which was as fresh and intire as a Calf's new killed. These, together with his Body, they put on a Pile of Wood, and burnt them to Ashes, which they carefully swept together, and put into a Sack, that none might get them for wicked Uses, and poured them into a River, after which the *Spectrum* was never seen more.

The same thing happened in his Maid, who died some time after him. She appeared within eight Days after her Death, to her Fellow-Servant, and lay so heavy upon her, that she brought a great Swelling into her Eyes. She so grievously handled a Child in the Cradle, that, if the Nurse had not come in to help him, he had been quite spoiled; but she crossing herself, and calling upon the Name of *Jesus*, the *Spectre* vanished. The next Night she appeared in the Shape of an Hen, which when one of the Maids of the House took to be so indeed, and followed her, the Hen grew into an immense Bigness, and presently caught the Maid by the Throat, and made it swell, so that she could neither well eat nor drink for a good while after.

She continued these Stirs for a whole Month, flapping some so smartly, that the Strokes were heard by them that stood by; pulling the Bed also from under others, and appearing sometimes in one Shape, sometimes in another; as, of a Woman, of a Dog, of a Cat, and of a Goat. But at last, her Body being dug up, and burnt, the Apparition was never seen more.

These Things were done at *Breslau* in *Silesia*, where this *Weinrichius* then lived; which makes the Narration more considerable. The concealing

dealing the Names of the Parties, I conceive, was by way of Civility to the deceased Townsman's Widow, and their Family. The other Story he sets down, viz. *Wettrichius*, he is not the first Person of, tho' the Things were done in his Time, and as I conceive, some while after what was before related, as a Passage in the Narration seems to intimate; but he transcribed it from one that not only dwelt in the Place, but was often infested with the noisome Occurrences of that troublesome Ghost, that did so much Mischief to the Place where he dwelt. The Relation is somewhat large; I shall bring it into as narrow a Compass as I can.

Johannes Cunctius, a Citizen of *Pensleb* in *Silesia*, near sixty Years of Age, and one of the Aldermen of the Town, very fair in his Carriage, and unblameable, to Mens thinking, in the whole Course of his Life, having been sent for to the Mayor's House (as being a very understanding Person, and dexterous at the Dispatch of Business) to end some Controversies, concerning certain Waggoners, and a Merchant of *Panmonia*, having made an End of those Affairs, he was invited by the Mayor to Supper. He gets Leave first, to go home to order some Business, leaving this Sentence behind him, *It is good to be merry while we may, for Mischiefs grow up fast enough daily.*

This *Cunctius* kept five lusty Geldings in his Stable; one whereof he commanded to be brought out, and his Shoe being loose, had him ty'd to the next Post; his Master, with a Servant, busied themselves to take up his Leg to look on his Hoof; the Horse being mad and mettlesome, struck them both down; but *Cunctius* received the greatest Share of the Blow: One that stood next by, helped them both up again. *Cunctius* was no sooner up, and come to himself, but he cry'd out, *Woe is me! how do I burn, and am all on Fire!* which he often repeated. But the Parts he complained of most, the Women being put out of the Room, when they were searched, no Appearance of any Stroke, or Hurt, was found upon them. To be short, he fell downright sick, and grievously afflicted in Mind, loudly complaining, that his Sins were such, that they were utterly unpardonable, and that the least Part of them were bigger than all the Sins of the World besides; but would have no Divine come to him, nor did particularly confess them to any. Several Rumours, indeed, there were, that once he sold one of his Sons, but when, and to whom, it was uncertain; and that he had made a Contract with the Devil, and the like; but it was observed, and known for certain, that he had grown, beyond all Expectation,

Expectation, rich, and that four Days before this Mischance, he being Witness to a Child, said, That that was the last he should be ever Witness to.

The Night he dy'd, his eldest Son watched with him. He gave up the Ghost about the third Hour of the Night, at which time a black Cat, opening the Casement with her Nails, ran to his Bed, and did so violently scratch his Face, and the Bolster where he lay, as if she endeavoured by Force to remove him out of the Place: But the Cat afterwards was suddenly gone, and she was no sooner gone, but he breathed his last. A fair Tale was made to the Pastor of the Parish, and the Magistrates of the Town allowing it, he was buried on the Right side of the Altar, his Friends paying well for it. No sooner was *Cuntius* dead, but a great Tempest arose, which raged most at his Funeral, there being such impetuous Storms of Wind, with Snow, that it made Mens Bodies quake, and their Teeth chatter in their Heads. But so soon as he was interred, of a sudden, all was calm.

He had not been dead above a Day or two, but several Rumours went spread in the Town of a *Spiritus Incubus*, or *Ephialtes*, in the Shape of *Cuntius*, that would have forced a Woman. This happened before he was buried. After his Burial, the same Spectre awakened one that was sleeping in his Dining-Room, saying, *I can scarce withhold myself from beating thee to death.* The Voice was the Voice of *Cuntius*. The Watchmen of the Town also affirmed, that they heard every Night great Scree in *Cuntius's* House, the falling, and throwing of Things about, and that they did see the Gates stand wide open, betimes in the Mornings, tho' they were never so diligently shut o'er Night; that his Horses were very ungovernable in the Stable, as if they kick'd and bit one another; besides unusual Barking and Howling of the Dogs all over the Town. But these were but prelusious Suspicions to farther Evidence, which I will run over as briefly as I can.

A Maid-Servant of one of the Citizens of *Pontefab* (while these Tragedies and Strife were so frequent in the Town) heard, together with some others lying in their Beds, the Noise and Trampings of one riding about the House, who at last ran against the Walls with that Violence, that the whole House shook, as if it would fall, and the Windows were all filled with Flashes of Lightning. The Master of the House being informed of it, went out of Doors in the Morning to see what was the Matter, and he beheld in the Snow the Impressions of strange

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Feet, such as were like neither Cows, nor Horses, nor Hogs, nor any Creatures that he knew.

Another time, about Eleven of the Clock in the Night, *Cuntius* appears to one of his Friends, that was a Witness to a Child of his, speaks unto him, and bids him be of good Courage, for he came only to communicate unto him a Matter of great Importance. *I have left behind me,* said he, *my youngest Son James, to whom you are Godfather. Now there is at my eldest Son Stephen's, a Citizen of Gegerdorf, a certain Chest, wherein I have put four hundred and fifteen Florins. This I tell you, that your Godson may not be defrauded of any of them; and it is your Duty to look after it; which if you neglect, you do to you.* Having said this, the Specter departed, and went up into the upper Rooms of the House, where he walked so stoutly, that all rattled again, and the Roof swagged with his heavy Stampings. This *Cuntius's* Friend told to the Parson of the Parish a Day or two after, for a certain Truth.

But there are also several other notorious Passages of this *Cuntius*; as his often speaking to the Maid, that lay with her Mistress, his Widow, to give him place, for it was his Right; and if she would not give it him, he would wring her Neck behind her.

His gallopping up and down like a wanton Horse, in the Court of his House: His being often seen to ride not only in the Streets, but along the Valleys of the Field, and on the Mountains, with so strong a Trot, that he made the very Ground flash with Fire under him.

His bruising the Body of a Child of a certain Smith, and making his very Bones so soft, that you might wrap the Corps on Heaps like a Glove.

His miserable tugging all Night with a Jew that had taken up his Inn in the Town, and tossing him up and down in the Lodgings where he lay.

His dreadful accosting of a Waggoner, an old Acquaintance of his, while he was busy in the Stable, vomiting out Fire against him, to terrify him, and biting of him so cruelly by the Foot, that he made him lame.

What follows, as I above intimated, concerns the Relater himself, who was the Parson of the Parish, whom this Fery so squeezed and pressed when he was asleep, that wakening, he found himself utterly spent, and his Strength quite gone, but could not imagine the Reason: But while he lay musing with himself what the Matter might be, this Specter returns again to him, and holding him all over so tight, that he

could not wag a Finger, rowled him in his Bed backwards and forwards a good many times together. The same happened also to his Wife another time, whom *Cunnius*, coming through the Casement in the Shape of a little Dwarf, and running to her Bed-side, so wrung and pulled, as if he would have torn her Throat out, had not her two Daughters come in to help her.

He pressed the Lips together of one of this Theologers Sons so, that they could scarce get them asunder.

His House was so generally disturbed with this unruly Ghost, that the Servants were forced to keep together a-Nights in one Room, lying upon Straw, and watching the Approaches of this troublesome Fiend: But a Maid of the House, being more courageous than the rest, would needs one Night go to Bed, and forsake her Company: Whereupon *Cunnius* finding her alone, presently assaults her, pulls away the Bedding, and would have carried her away with him; but she, hardly escaping, fled to the rest of the Family, where she spy'd him standing by the Candle, and immediately after he vanished.

Another time, about Evening, when this Minister was sitting, with his Wife and Children about him, exercising himself in Musick, according to his usual Manner, a most grievous Stink arose suddenly, which by degrees spread itself to every Corner of the Room. Hereupon, he commends himself and his Family to God by Prayer. The Smell nevertheless encreased, and became above all measure pestilently noisome, insomuch, that he was forced to go up to his Chamber. He and his Wife had not been in Bed a quarter of an Hour, but they found the same Stink in their Bed-chamber, of which while they were complaining to one another, out steps the Spectre from the Wall, and creeping to the Bed-side, breathes upon him an exceeding cold Breath, of so intolerable stinking and malignant a Scent, as is beyond all Imagination and Expression. Hereupon the Theologer, good Soul! grew very ill, and was fain to keep his Bed, his Face, Belly, and Guts, swelling as if he had been poisoned; whence he was also troubled with a Difficulty of Breathing, and with a putrid Inflammation in his Eyes, so that he could not well use them for a long time after.

But taking Leave of the sick Divine, if we should go back, and recount what we have omitted, it would exceed the Number of what we have recounted. As for Example, the trembling and sweating of *Cunnius's* Gelding, from which he was not free Night nor Day; the burning blue of the Candles at the Approaches of *Cunnius's* Ghost; his drinking up the Milk

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Milk in the Milk-bowls; his flinging Dung into them, or turning Milk to Blood; his pulling up Posts deep set in the Ground, and so heavy, that two lusty Porters could not deal with them; his discoursing with several Men he met, concerning the Affairs of the Waggoners; his strangling of old Men; his holding fast the Cradles of Children, or taking them out of them; his frequent Endeavours to force Women; his defiling the Water in the Font, and fouling the Cloth on the Altar, on that Side that hung towards his Grave, with dirty bloody Spots; his catching up Dogs in the Streets, and knocking their Brains out against the Ground; his sucking dry the Cows, and tying their Tails, like the Tail of an Horse; his devouring of Poultry, and flinging of Goats bound into the Backs; his tying of an Horse to an empty Oat Tub in the Stable, to clatter up and down with it, and the hinder Foot of another to his own Head-stall; his looking out of Window from a low Tower, and then suddenly changing himself into the Form of a long Staff; his chiding of a Matron for suffering her Servant to wash Dishes on a *Thursday*, at which time he laid his Hand upon her, and she said, it felt more cold than Ice; his pelting one of the Women that washed his Corps, so forcibly, that the Prints of the Clods he flung, were to be seen upon the Wall; his attempting to ravish another, who excusing herself, and saying, *My Cuntius, thou see'st how old, wrinkled, and deformed I am, and how unfit for those Sports*, he suddenly set up a loud Laughter, and vanished.

But we must not insist on these things; only we will add one Passage more, that is not a little remarkable. His Grave-Stone was turned on one Side, shelving, and there were several Holes in the Earth, about the Bigness of Mouse-holes, that went down to his very Coffin; which, however they were filled up with Earth over Night, yet they would be sure to be laid open the next Morning.

It would be a tedious Business to recite these Things at large, and prosecute the Story in all its particular Circumstances: To conclude therefore, their Calamity was such, from the frequent Occurrences of this restless Fury, that there was none but pity'd them; no body would lodge in their Town, Trading was decay'd, and the Citizens impoverish'd by the continual Stirs and Tumults of this unquiet Ghost.

To be short therefore, finding no rest, nor being able to excogitate any better Remedy, they dug up *Cuntius's* Body, with several others, buried both before and after him: But those, both after, and before, were so putrify'd and rotten, their Skulls broken, and the Sutures of them gaping, that they were not to be known by their Shape at all, having become

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in a manner, but a rude Mass of Earth and Dirt: But it was quite other-
 wise in *Cuntius*; his Skin was tender and florid, his Joints not at all
 stiff, but limber and moveable; and a Staff being put into his Hand, he
 grasped it with his Fingers very fast; his Eyes also of themselves, would
 be one time open, and another time shut; they opened a Vein in his Leg,
 and the Blood sprang out as fresh as in the Living; his Nose was entire,
 and full, not sharp, as in those that are ghastly sick, or quite dead: And
 yet *Cuntius*'s Body had lain in the Grave from February 8. to July 20.
 which is almost half a Year.

It was easily discernable where the Fault lay; however, nothing was
 done easily, but Judges being constituted, Sentence was pronounced up-
 on *Cuntius*'s Carcase, which (being animated thereto from Success in
 the like Case, some few Years before, in this very Province *Silesia*, I sup-
 pose he means at *Bresslau*, where the Shoemaker's Body was burnt) they
 adjudged to the Fire.

Wherefore, there were Masons provided to make a Hole in the Wall
 near the Altar, to get his Body through, which being pulled at with a
 Rope, it was so exceeding heavy, that the Rope broke, and they could
 scarce stir him; but when they had pulled him through, and got him
 on a Cart without, *Cuntius*'s Horse that struck him (which was a lusty-
 bodied Creature) was appointed to draw it; yet it put him to it so, that
 he was ready to fall down very often, and was quite out of Breath with
 striving to draw so intolerable a Load; who notwithstanding could run
 away with two Men in the same Cart presently after, their Weight was
 so inconsiderable to his Strength.

His Body, when it was brought to the Fire, proved as unwilling to be
 burnt, as before to be drawn; so that the Executioner was forced to pull
 him out with Hooks, and cut him into Pieces to make him burn; which
 while he did, the Blood was found so pure and spiritous, that it spirted
 into his Face as he cut him; but at last, not without the Expence of
 two hundred and sixteen great Bilets, all was turned into Ashes: Which
 they carefully sweeping up together, as in the foregoing Story, and cast-
 ing them into the River, the Spectre never more appeared.

'Tis enquired, whether Witches, if they have confessed the Murthers
 of Children or Men, or any other Crimes to which the Punishment of
 Death is annexed by the Civil Laws, may be delivered over to the Secu-
 lar Court by the Inquisitors and other Judges, altho they repent? Some
 think, that notwithstanding their Repentance, they ought not to be per-
 petually

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petually imprisoned as other Hereticks, but put to Death. But the greater Number are of Opinion, that such of them who are willing with a pure Heart to return to the Bosom of the Church, are to be received. Because the Cause of Heresy hath nothing to do with murdering Children, or other Crimes committed by Witches, the Cognisance of which doth not at all belong to the Inquisitors. And therefore they believe the Judges of the Faith would do unjustly, if they should deny to these Wretches, when willing to repent, the Benefit of Mercy and Absolution.

But if these Witches are first taken up by the Secular Judges, for the Murder of Infants, or any other Secular Crime, and when they are interrogated confess Heresy, or any Thing that favours of Heresy, of which the Secular Judges have no Cognisance, and, upon account of this Confession, are delivered over to the Inquisitors, in this Case when the Judgment concerning Heresy is finished, they teach that the Witch must be turned back to the Secular Judge, that he may finish the Process begun for other Crimes by the Civil Laws. For in such a Case the Person is not so properly said to be left to the Secular Court, as to be restored to his former Judge, who, upon account of the Secular Crime, hath legal Jurisdiction over such Witch. And this Observation is, as they say, according to the Constitution of Pius V. whose Words are these. *Moreover, let them, without any Delay, transmit all Persons whatsoever, imprisoned for any Offences, or by any Means whatsoever accused or denounced of any heinous Crimes, before the said Office of the Inquisition, suspending the Cognisance of all other inferior Crimes, to the said Cardinals and Prisons of the Inquisition, and there let them be kept till the full Cognisance and Dispatch of the Crime of Heresy, and afterwards let them be sent back to the said Officials to expedite the Affair of their other Crimes.*

Yea farther, the Ecclesiastical Judges, if they have any legal Evidence, that one of these Witches, imprisoned by the Secular Judge, is an Heretick, or suspected of Heresy, may compel the Secular Magistrate to deliver her over to them to be judged for the Cause of Heresy, and also to exhibit the Processes and any other Writings, in order to their Understanding, whether there be any Thing contained in them relating to the Faith, and which may help the Judgment of the Inquisitors. If the Magistrate refuses it, they may compel him to all this by the Ecclesiastical Censure, viz. Excommunication, Suspension and Interdict. Whereas the Secular Magistrate cannot compel the Judge of the Faith to deliver up to him Criminals of either Sex, who have committed Secular Offences,

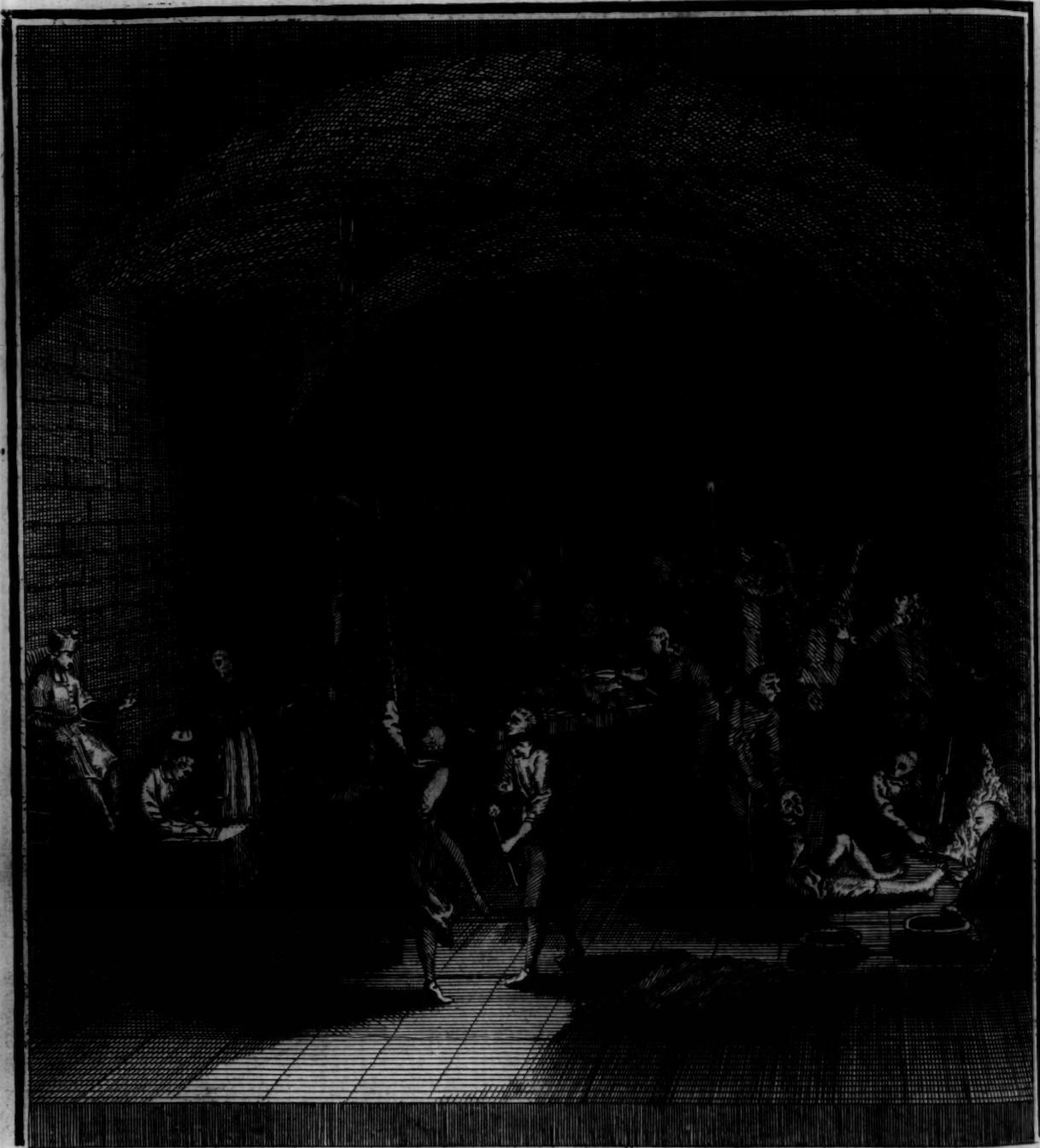


petually imprisoned as other Hereticks, but put to Death. But the greater Number are of Opinion, that such of them who are willing with a pure Heart to return to the Bosom of the Church, are to be received. Because the Cause of Heresy hath nothing to do with murdering Children, or other Crimes committed by Witches, the Cognisance of which doth not at all belong to the Inquisitors. And therefore they believe the Judges of the Faith would do unjustly, if they should deny to these Wretches, when willing to repent, the Benefit of Mercy and Absolution.

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A View of the several Methods of Torturing before y^e Inquisitor.

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Offences, in order to punish them according to the Civil Laws, because he hath no Jurisdiction over the Ecclesiastical Judge. But when the Ecclesiastical Judge hath punished Offenders in his Tribunal, then the Secular Judge may punish the same Persons for Crimes Cognizable in his Court.

They say there are two Ways of discovering these Witches. The first is the Confession, and Accusation of their Companions. For as these Women know one another when they are met at their Assemblies, they are able to detect each other. But that such Accusations may gain Credit, 'tis necessary that several of them separately, each making a Confession without the other's Knowledge, do agree in the several Circumstances of the Accusation, viz. as to the same Person, Time, and Place; and that they do severally affirm the same Thing before the Person accused, one after the other separately, without the other's knowing of it. And yet at the same time they confess themselves, that this sort of Proof is very uncertain, because it may happen that the Devil may sometimes assume another Person's Shape, and appear in these Assemblies under that Form, in order to render her infamous, though at the same time she may be entirely innocent, and far from being concerned in such a Crime. For which Reason they make use of another Way, viz. Conjectures and Presumptions to detect and discover them. And of these they have several, viz. their bewitching Children, causing Distempers, and other Harms, to Men and Women, to Cattle, and the Fruits of the Earth, the Grapes of Vineyards, and the Fruits of Trees. When therefore skilful Physicians, by any Conjectures or Circumstances judge, that a Damage of this sort doth not happen from any natural Defect, nor from any natural intrinsic Cause, but from something external, and yet not from any venomous Infection; or when they see any Disease to be incurable, so that the sick Person cannot be relieved by any Medicines or Remedies, but rather grows every Day worse and worse, that they think is a sufficient Proof that 'tis the Effect of Witchcraft. In like manner, when any Men or Women, who are ignorant of the Art of Physick, prevent the Effects of such Witches, and heal Diseases, they say 'tis a Sign that these Things are done by the Co-operation of the Devil.

To this they add another Sign, which is greatly uncertain. When, say they, any Person, whether in a Quarrel or not, threatens another, and says, Because you have done to me so and so, I will do something to you that shall make you know whether you have done well by me or not; or I will make you repent it; or you shall see the Effects of

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it, or any Thing to the like Purpose. If the Thing comes to pass, 'tis a Sign that such an Effect is produced by the Assistance of the Devil, especially if it can't be known how such an Effect could otherwise follow. And therefore when such Threatnings are attended with their Effects, 'tis a very great Presumption and Reason to conclude, that the Person who utters such Threatnings is a Witch; and dedicated to the Devil by a Denial of the Faith. This is a sufficient Proof to proceed to Torture.

But certainly if such Signs be sufficient to put Persons to the Torture, what Innocence can be safe? 'Tis easy to extort a Confession from such who are most innocent, by the Cruelty of these Tortures, with which they punish without End or Measure, those whom they suspect, as the very Plagues of human Nature, even of Crimes they have never thought of, and of which they have never heard so much as the Description. And therefore 'tis not to be wondered at, that the Inquisitors, within the Space of 150 Years, should have burnt 30000 Witches, as *Ludovicus a Parado* says they have; adding: "The Inquisitors have most severely prosecuted these most outrageous Furies, who have thrown off all Humanity, especially in the Kingdom of *Sicily*, where, when I my self, a few Years past, executed the Office of Inquisitor, many of this kind of Apostate Witches were discovered and punished."

But as by this Method of Proceeding many notorious and manifest Acts of Injustice were committed, a certain Instruction was put into the Hands of the Inquisitors in *Italy*, which *Carena* hath published, in which is affirmed: "That it hath for a long time been observed in the Congregation of the Universal Inquisition at *Rome*, that scarce any Process hath been ever found to be rightly and juridically formed; that it hath been generally found necessary to censure most of the Judges, and oftentimes to punish them for illegal Vexations, Inquisitions, Imprisonments, as also for several evil and impertinent Methods used in forming Processes, interrogating Criminals, inflicting excessive Tortures; inasmuch, that sometimes unjust and unrighteous Sentences have been pronounced, even of Death, or delivering Persons over to the Secular Arm. And it hath been found in Fact, that many Judges have been too easy and ready to believe a Woman to be a Witch for a light Proof, or rather none at all; upon which Account they have omitted nothing, no not unlawful Methods, to extort such a Confession from these Women, notwithstanding there have been so many Improbabilities, Differences, and Contrarieties, that one would think there could be little or no Debate about the Matter."

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This *Cartena* confirms by several Instances. In the City of *Logronno* in *Spain*, many Persons were condemned for Witchcraft, and yet afterwards 'twas discovered that there were many Deceits in the Affair of their Condemnation; upon which Account the Effects of the condemned Persons were not confiscated, nor their Sentences fixed upon the Churches, but they were reconciled, and moreover declared capable of any Office of the Inquisition. He gives another Instance of four Women, accused before the Ordinary by some others who had been condemned to Death, and hanged, who appealed to the Royal Council, to whom the Presumptions against them appeared so very slight, that upon finding Sureties they were dismissed, and never called into Question afterwards. He reports in the same Place the Words of *Ferrerius*, who calls those Judges, *Assassins*, *Judges that have no Fear of God, and less Love for Truth*. For this Reason certain Rules are prescribed to the Inquisitors, that they may proceed in this Affair with more Caution.

And first, before they begin the Process, there must be some Certainty as to the Reality of the Crime, whether the Offence be of that sort which leaves the proper Traces behind it. For it hath been observed, that some Judges have ordered certain Women to be punished with Death, for confessing a Crime which had never been committed. Thus *Ferrerius* reports, that a Woman confessed, that in the Night she took a certain Infant from the Breasts of its Mother, and carried it into the Assembly of the Witches, where it was killed by her and her Companions. But upon examining the Mother of the Infant, she declared that no such Accident had ever happened to it. Now the Reality of the Offence is proved by the Judgment of skilful Physicians, if they do clearly determine that the Disease is not natural, but possibly and probably a Witchcraft, and there be legal Proofs that the Witchcraft is committed by the Woman. After this the Inquisitor may proceed to Imprisonment, first taking Advice of the Counsellors. After Imprisonment he searches her House with a Notary, to see what Things they can find in the Coffers and Beds, both for the Assistance of the Person inquired, as whether there be Crowns, Divine Services, Books of Devotion and the like; and for the Assistance also of the Fiscal, as whether there be any Images of Wax run through with Needles, Powders, Ointments, Papers with Crosses, Books containing Witchcrafts, Bones under Ground, Poisons, Bones of dead Persons,

Some have observed that the Countess of Aranda, who lived in the 17th Century, was accused of Witchcraft, and confessed that she had used such Practices.

* Consecrated Bread made like a Crown, or in a round Form.

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and all extraordinary Things found under the Threshold, and in the Bed. This Search must be made by the Ministers of the Holy Office, in the Presence of the Notary, before the Inquisitor, and one of the Family of the Person accused of Witchcraft must be present. And here they advise that all unusual Things found in Beds are not to be looked on as a Token of Witchcraft, for some such Things may naturally happen; and therefore such Things can cause but a very light Suspicion, unless what they find in the said Places are in themselves, and according to the common Use of Witches, fit to perform magical Operations. As for Instance, if half of an human Skull is found in the Bed or on the Pillow of the Witch, and another half exactly answering to the former, is found in her Chest, a very considerable Suspicion would from hence arise against such Person, as the prudent Judge shall determine, and certainly greater than if no such half Skull had been found at all. Those and other Things, too tedious to mention, the Inquisitor is commanded to take prudent Notice of, lest he should proceed against any Person as a Witch rashly, and without just Cause.

~~Judges have ordered certain Women to be punished with Death, for confessing a Crime which had never been committed. Thus Perverse reports, that a Woman contrived to get the light of the Assembly of the Bishops of its Mother, and carried it into the Assembly of the Bishops. But up-
Of Jews, and such as return to Jewish Rites.~~

THE Nation of the Jews, after the Destruction of the City and Temple of Jerusalem, were brought into miserable Bondage and Captivity, and dispersed throughout the whole World. But being impatient of their Miseries, they have often taken up Arms, and endeavoured to assert their Liberties. But having been subdued by most grievous Slaughters, they have at length laid down their Perverseness, and are forced to bear the Yoke. The Christians, partly through Fear of the Rage of the Jews, and partly through an intemperate Zeal for Christianity, have endeavoured either wholly to destroy by various Misdemeanors this dispersed People, or to tire them out by the Grievousness and Length of their Miseries, and thus to compel them to profess the Christian Faith. Upon this account, various Edicts have at different Times proceeded against the Jews. Some have proscribed them in the Countries where they have lived; others have deprived them of their Liberties, and reduced them to Slavery; others have stripped them of those Advantages

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and Privileges which their other Subjects have enjoyed, that by these Means they might at length be wholly extinguished, or wearied out by the Miseries they endured for their *Judaism*, renounce it, and embrace the Christian Religion. Very severe Edicts have been made against them, especially in *Spain*, where a very large Number of them dwell, and were thought to endanger the Safety of the Kingdom.

In the Sixth Council of Toledo this Decree was published against the Jews. At the Holy Council, with the Consent of the Most Christian Prince, and his Nobles, and most Illustrious Persons, publish this Sentence, pleasing to God, that whosoever shall enjoy the Kingdom for Time to come, shall not ascend the Royal Throne, before he hath promised upon the Holy Sacraments, that he will suffer no Persons but Catholics to dwell in his Kingdom. And if any one, after his Accession to the Kingdom, shall rashly violate this Promise, let him be Anathema Maranatha before the Eternal God, and become Fuel for the everlasting Fire; and also all such who agree with him, Can. 3.

Baronius, under the Year 638, says this was principally decreed out of Hatred to the Jews, and bestows great Praises on it, and from hence concludes, 'Tis not without Reason that the Kings of Spain have had the Title of Catholic bestowed on them, being worthy of so high a Title, because they not only fear that they will be Catholic themselves, but that they will not suffer any one that is not a Catholic, to dwell in their large Dominions. But notwithstanding this Decree, a great many Jews remained in Spain, and soon encreased to such a Number, that they began to appear formidable to the Kings, and they were accused, whether Right or Wrong, of a Design to raise a Rebellion. Upon which account another Edict was made against them in the Seventeenth Council of Toledo, Can. 6.

Since the Perfidiousness of the Jews hath not only defiled the Coat of sacred Christian Baptism which they have received, but also attempted to conspire against the King and Kingdom; let them be deprived of all their Effects, and those perfidious Wretches themselves, their Wives and Children, and the rest of their Posterity, throughout all the Provinces of Spain, be subject to perpetual Slavery, and remain every where dispersed, and let such who have made Slaves of them, by no Means permit them to celebrate their Ceremonies. Yet still the Posterity of the Jews greatly multiplied in Spain.

In the mean while, the Romanists contend that the Jews ought not to be compelled by Force to embrace the Christian Religion against their Will, because Religion ought to be voluntary, yea, sometimes, they have been

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been protected by the Papal Authority against the Injuries of some intemperately zealous Christians.

The Papists also farther contend, that although they oblige the *Jews* in *Spain* and *Portugal* to depart thence, unless they embrace the Christian Religion, yet they do by no Means force them to become Christians; and therefore *Osius* and *Mariana* blame King *Emanuel*, who kept the younger Children of the *Jews* against their Parents Will, and compelled the *Jews* by a severe Bondage to receive Baptism; and they say that this Action is neither agreeable to Law or Religion. Can any one believe that these People speak seriously, who by so many Methods cruelly distress the *Jews*, that they may force them, thus broken by Miseries, of which they see no End, to embrace the Christian Religion? For 'tis owing to this that so many amongst the new Converts are found to be *Jews* in their Hearts. Hence 'tis that they themselves always suspect the new Christians, viz. such who are converted from the *Jews* and *Saracens*, and desire that their Posterity may be always separated from the Posterity of the old Christians.

Sometimes also they have openly persecuted the *Jews*, and compelled them to become Christians. *Sethus Calvisius* relates from *Cedrenus*, under the Year 722. that *Leo* the Emperor forced the *Jews* to embrace Christianity; but that they afterwards either renounced their Baptism, or shut themselves up in their Houses, and burnt themselves with all their Families.

But what shall we say to these Persons, who, though they teach that the *Jews* are not to be compelled to the Faith, yet plead for forcing, and actually force those who in their Judgment err concerning some Principles of Religion, whom they call by the infamous Name of Hereticks, to renounce their Errors, or rather the very Truth itself, by all manner of Methods, and every kind of Cruelties.

The Inquisition was not introduced to compel the *Jews* to the Christian Religion; because, say they, as they are not baptized, and have not professed the Faith of Christ, they cannot be said to be Hereticks or Apostates, and therefore are not subject to the Jurisdiction of the Inquisitors. For the Church doth not judge of those that are without, and the Jurisdiction of the Inquisitors is only granted them against heretical Pravity and Apostacy. The Inquisition indeed in *Spain*, is introduced against those, who being converted from the *Jews* or *Mahometans*, to the Christian Religion, return again to *Judaism* or *Mahometanism*, and give such

Marks

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Marks of that Apostacy as are capable to convict them. Such a one, as well as a Christian, that goes over to the *Jewish* Rites, may be punished by the Inquisitors, as any other Heretick or Apostate. And in order to prove this Crime, they admit the Testimony of *Jews*; and when it is legally proved, they are by the Royal Laws of *Spain* delivered over, as Relapsed and Impenitent, to the Fire.

If a *Jew*, *Mahometan*, or any other Person, receives, defends, or favours Hereticks, or hinders the Inquisitors, or obstructs their Office, or should keep in his Possession the Books of Hereticks, he may be punished by the Inquisitors. Also by one of the Extravagant Constitutions of *Nicholas IV.* Power is granted to the Inquisitors of taking Cognizance of the Crimes of *Jews*, as often as they offend against the Old Testament, or induce any Christian to *Judaism*, or circumcise him, or compel him to deny the Catholick Faith.

Pope *John XXII.* also, by a Letter *NR. 190.* renewed the Constitutions of *Clement IV.* and other his Predecessors, and by severer Laws increased the Power given to the Inquisitors against them; commanding that they should gather together and burn all the Books of the *Talmud*, and punish those who were convicted of execrable Blasphemies. In the Month of *December* following, by the Command of Friar *Bernard Guido*, Inquisitor of heretical Pravity, the Books of the *Jews* called the *Talmud*, were as many of them as could be found in the Possession of the *Jews*, burnt at *Toulouse*, after it had been declared by sworn Examiners, skillful in the *Hebrew* Tongue, that they contained Errors and Blasphemies against the Lord *Jesus Christ*, and his Most Holy Mother the Virgin *Mary*.

In the Kingdom of *Valencia*, the Inquisitors may proceed against the *Jews*, or *Saracens*, or other unbaptized Infidels dogmatizing amongst Christians, especially against the *Alfaguins*, or those who hinder the Office of the Inquisition, or circumcise Boys, or are Receivers of Hereticks, or who compel any one to deny the Faith, or persuade them to use their Rites or publick Ceremonies. But yet, others think that a *Jew*, who says to a Christian, *La fede vostra e fede di * Canxi*, i.e. Your Faith is the Faith of a ————, or who throws Nastiness upon the Cross which is carried in the Litanies, ought not to be punished by the Inquisitors, but by the Secular Judge.

And

And finally, *Gregory XIII.* *An.* 1580 published a Constitution, by which he granted Power to the Inquisitors of heretical Pravity, freely to proceed against the *Jews* in the following Cases: "If they deny Mat-
 "ters of Faith common to them and Christians. If they invoke Devils,
 "or sacrifice to them. If they teach any Christian these Things, or bring
 "them to them. If they speak heretical Blasphemies. If they pervert
 "a Christian from the Faith. If they hinder Infidels from coming over
 "to the Faith of Christ. If they knowingly receive an Heretick, or
 "give him Assistance. If they keep heretical Books, or Talmudical, or
 "any other *Jewish* Books any ways condemned. If they deride the sa-
 "lutory Host, or the Cross, or the like Things, or Christians. If they
 "keep Christian Nurses, or shall compel them from the Day in which
 "they have received the Sacrament of the Eucharist, to throw their
 "Milk into the Jakes."

But especially in the Kingdoms of *Spain* and *Portugal*, the Inquisition is introduced to detect and punish those who, being *Jews*, have embrac-
 ed the Christian Religion, and witnessed their Profession by the solemn
 receiving of Baptism, and have afterwards turn'd again to *Judaism*.

There are several Signs by which it may be collected, that a Person is
 revolted to *Judaism*. Anciently the converted *Jews* themselves allowed,
 that it might be known by certain Marks which of them were not sin-
 cerely converted to Christ, but cherished *Judaism* in their Heart, in a cer-
 tain Ordinance made in the Name of the King of *Spain*, about the
 Year 653.

To our most Clement and Serene Lord, King *Rosewind*. All we He-
 brews of the City of *Toledo* and *Spain*, your Glory, who have under-
 written our Names, or put our Marks. We well and justly remember that
 we were compelled to think it our Duty to write our Opinion in the Name
 of King *Chintillan*, of holy Memory, for preserving the Catholick Faith,
 even as we have done. But because the Perfidiousness of our Obstinacy, and
 the Antiquity of our Error that we have derived from our Fathers, hath
 so possessed us, that we have neither truly believed in *Jesus Christ* the
 Lord, nor sincerely kept the Catholick Faith: We now therefore willingly
 and readily promise your Glory by this our Ordinance, as well for our selves,
 as for our Wives and Children, that we will never hereafter mix in any
 Jewish Observations or incestuous Customs. And as we are baptized, we
 will never more in any sort be joined with the *Jews* in an execrable So-
 ciety; nor will we, according to our Custom, ever be joined with them by
 Nearness of Blood, even to the sixth Degree, by an incestuous Pollution in
 Matrimony

Matrimony or Fornication. We will not enter into Marriages with our Race in any sort, neither ourselves, or our Children, or any of our Posterity; but as to both Sexes we will henceforwards marry only with Christians. We will not work the Circumcision of the Flesh. We will not celebrate the Passover and Sabbaths, and other Holidays, according to the Rite of Jewell's Observation. We will not observe the Difference or Custom of Meats, nor do any of all those Things, which the Use and abominable Custom and Conversation of the Jews doth. But we believe with a sincere Faith, grateful Mind, and entire Devotion in Christ, the Son of the Living God, according to the Evangelick and Apostolical Tradition, and him we confess and adore. We do also truly hold and sincerely embrace all the Customs of the holy Christian Religion, as well as to Holidays as to Marriages and Foods, and all other Observations, without reserving to ourselves any Object of Opposition, or fallacious Argument, by which we will do again those Things which we have denied to do, or not sincerely fulfill those Things which we have promised to observe. And as to Swines Flesh we promise to observe, that if we cannot possibly eat it through Custom, yet that we will, without Contempt or Horror, take and eat Things that are dressed with it. And if in all these Things which are above mentioned, we shall be found Transgressors in any the least Point, or shall presume to act contrary to the Christian Faith, or shall delay to fulfill in Word and Deed what we have promised agreeable to the Catholick Religion, we swear by the same Father, Son, and Holy Spirit, who is one in Trinity, and the true God, that whosoever of us shall be found a Transgressor of all or any one of these Things, he shall perish with new Plagues or Stones. Or if Goodness shall reserve him for Life to your Glory, he shall lose his Liberty, and forfeit all his Substance, and shall be for ever a Slave to any Person you shall appoint. And whatsoever you shall command to be done as to him or his Effects, you shall not only have free Power to do it by the Power of your Kingdom, but by the Engagement of this our Ordinance. This Ordinance was made March 21. in the happy Sixth Year of the Reign of your Glory, in the Name of God, at Toledo.

But Pegna is of Opinion, that a more certain Suspicion of secret Judaiz'm arises from other observed Rites of the Jews, viz. from too intimate conversing with them, by frequenting the Places in which they dwell, and especially the Synagogues, by the Observations of the Sabbaths, and many other Things, than from their Abstinence from Swines Flesh, which may be either unpleasant to the Taste, or nauseous to the

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Stomach. This Consideration particularly affects the new Converts, who, through Custom, cannot be supposed easily to relish Swines Flesh, or other Meats forbidden them before their Conversion. But this doth not hold as to their Children and Grandchildren, and other Descendants, who can't be supposed to abstain from these Things for any other Reason, but their Reverence and Approbation of this accursed Sect, because the Reason of Custom cannot be pleaded in their Behalf, though it may as to those who are themselves converted.

Amongst other Signs of secret *Judaism*, the Name that a Person takes is accounted one. For they say 'tis customary amongst the *Hebrews* frequently to give the same Names to those who come over or return to their Sect, which they had before they were baptized. If therefore any Person, after Baptism, in which he put off his old *Jewish* Name, and took the Name of some Saint, according to the Custom of Christians, shall take it again, or some other Name familiar and usual amongst the *Jews*, it will be a Presumption that he approves *Judaism*.

In how many, and in what Cases the *Jews* and other Infidels are subject to the Power of the Inquisitors, Gregory XIII. hath largely declared, *An.* 1581. by a Rescript.

As to the Punishments of such offending *Jews*, their Crimes are distinguished into three Sorts. Some of them are common to them and Christians. Others are against the Christian or rather Popish Faith. And lastly, others against their own Faith, which are not to be treated of here.

As to Crimes of the first sort, respecting them as well as Christians, such are declared Hereticks who deny God to be Almighty. If they confess that they said and believed this, they are compelled to abjure as for formal Heresy. If they confess they said it, but deny that they believed it, they must be tortured as to their Intention, and be made to abjure as well as Christians, according to the Degree of the Suspicion, whether light or vehement.

As to Crimes of the second sort, they are tortured only to get out the Truth, and discover their Accomplices. For in these Things they are not truly Hereticks; but because they grievously offend against the Christian or Popish Faith, they are usually punished in a very severe Manner; and in this Case they are not compelled to abjure, because the Church doth not compel them to the Faith.

The Punishments which the Inquisitors inflict upon the *Yews* who offend in the *fore*said Cases, are various, and lighter or heavier, according to the Nature or Degree of the Crimes, viz. Privation of all Conversation with Christians, Fines, perpetual Imprisonment, Whipping, and also to be delivered over into the Power of the Secular Arm.

C H A P. XIV.

Of the TORTURE.

IN Compliance with the Curiosity of our Readers, we have judged it necessary to describe the Place and Manner of Torturing Criminals, before we go on to the Form of proceeding in the Inquisition.

The Bishop and Inquisitor therefore meet together, and by an interlocutory Sentence, pronounce that the accused Person is to be put to the Torture such a Day and such an Hour. For neither the Bishop without the Inquisitor, nor the Inquisitor without the Bishop, or his Vicar, can put any one to the Torture. But if the Bishop or his Vicar, upon Summons sent them, either refuses or neglects to be present within eight Days, the Inquisitor may proceed alone to the Torture; or if one be not within Reach of the other, if he be absent a great way off, then the other may proceed by himself. But what Place may be said to be a great way off, is left at the Pleasure of the Judge to determine. However, the Bishop and Inquisitor may depute each other, or signify their Consent by Letters, which must be done within eight Days after they are summoned. In the Inquisition at *Cremona*, the Advocate of the Exchequer is present at the Torture, and the Inquisitor there sits in the Middle, between the Vicar-General on his Right Hand, and the Advocate on his Left.

As to the Persons who may be tortured, altho' in all other Causes and Crimes some Persons are excepted, such as Doctors, Soldiers, Officers, Noblemen, and their Sons, yet in this most grievous and horrible Crime of Heresy, there is no Privilege to defend any one, but all may be put to the Torture, even Clergymen, Monks, and other Religious. But to prevent Excommunication, by grievously torturing or hurting them, and in Account of the Dignity which they are invested, they torture them more gently and mildly, unless the Heinousness of the Crime, and

the Strength of the Evidence requires otherwise. As to such who are freed from being tortured for other Crimes, upon Account of their Youth, or old Age, or being with Child, they are not to be tortured for Heresy. Persons under twenty-five may be tortured for Suspicion of Heresy, but not if they are under fourteen; but they may be terrified and beat. Neither is there any Exception of Place, altho' by antient Custom, or municipal Laws, the Torture is not otherwise to be inflicted there. Thus in the Kingdom of *Arragon*, no Judge can order any Criminal to the Torture; but yet in Favour of the Faith any Persons, even tho' privileged, may be tortured for Suspicions of Heresy.

After the Sentence of Torture is pronounced, the Officers prepare themselves to inflict it. The Place of Torture in the *Spanish* Inquisition is generally an under-ground and very dark Room; to which one enters thro' several Doors. There is a Tribunal erected in it, in which the Inquisitor, Inspector, and Secretary sit. When the Candles are lighted, and the Person to be tortured brought in, the Executioner, who was waiting for the other, makes an astonishing and dreadful Appearance. He is covered all over, with a black Linen Garment down to his Feet, and tied close to his Body. His Head and Face are all hid with a long black Cowl, only two little Holes being left in it for him to see through. All this is intended to strike the miserable Wretch with greater Terror in Mind and Body, when he sees himself going to be tortured by the Hands of one who thus looks like the very Devil.

Whilst the Officers are getting Things ready for the Torture, the Bishop and Inquisitor by themselves, and other good Men zealous for the Faith, endeavour to persuade the Person to be tortured, freely to confess the Truth; and if he will not, they order the Officers to strip him, who do it in an Instant. Clergymen however must not be tortured by a Lay Officer or Torturer, unless they can't find any Clergymen who know how to do it, or are willing; because it would be in vain for the Judges to order any Clergyman or Monk to the Torture, if there was no body to inflict it; and therefore in such a Case it is usual to torture them by Lay Officers.

Whilst the Person to be tortured is stripping, he is persuaded to confess the Truth. If he refuses it, he is taken aside by certain good Men, and persuaded to confess, and told by them, that if he confesses, he will not be put to Death, but only be made to swear, that he will not return to the Heresy, he hath abjured. The Inquisitor and Bishop promise the same, unless the Person be a Relapse.

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If he is neither persuaded by Threatnings or Promises to confess his Crime, he is tortured either more lightly or grievously, according as his Crime requires, and frequently interrogated during the Torture, upon those Articles for which he is put to it, beginning with the lesser ones, because they think he will sooner confess the lesser Matters than the greater.

The Criminals are with great Care and Diligence to be admonished by the Inquisitors, and especially when they are under Torture, that they should nor by any Means bear false Witness against themselves or others, thro' Fear of Punishments or Torments, but speak the Truth only. Nor may the Inquisitors promise Pardon or Forgiveness of the Offences, to compel the Criminals to confess Crimes which they have not committed, out of their great Zeal to enquire out the Truth. And such a false Confession the accused Person may safely revoke.

The Inquisitors themselves must interrogate the Criminals during their Torture, nor can they commit this Business to others, unless they are engaged in other important Affairs, in which Case they may depute certain good and skilful Men for the Purpose. Altho' in other Nations Criminals are publicly tortured, yet in *Spain* 'tis forbidden by the Royal Law, for any to be present whilst they are torturing, besides the Judges, Secretaries, and Torturers. The Inquisitors must also chuse proper Torturers, born of antient Christians, who must be bound by Oath, by no Means to discover their Secrets, nor to blab out any Thing that is said. The Judges also usually protest, that if the Criminal should happen to die under his Torture, or by reason of it, or should suffer the Loss of any of his Limbs, 'tis not to be imputed to them, but to the Criminal himself, who will not plainly confess the Truth before he is tortured. An Heretick may not only be interrogated concerning himself, but in general also concerning his Companions and Accomplices in his Crime, his Teachers and his Disciples; for he ought to discover them, tho' he be not interrogated; but when he is interrogated concerning them, he is much more obliged to discover them than his Accomplices in any other the most grievous Crimes. A Person also suspected of Heresy, and fully convicted, may be tortured upon another Account, *i. e.* to discover his Companions and Accomplices in the Crime. This must be done when he boggles, or 'tis half fully proved at least that he was actually present with them, or hath such Companions and Accomplices in his Crime; for in this Case he is not tortured as a Criminal, but as a Witness. But he who makes full Confession of himself, is not tortured upon a different Account; whereas if he be a Negative, he may be tortured upon another Account.

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count, to discover his Accomplices and other Hereticks, tho' he be fully convicted himself, and it be half fully proved that he hath such Accomplices. The Reason of the Difference in these Cases is this, because he who confesses against himself, would certainly much rather confess against other Hereticks, if he knew them. But 'tis otherwise when the Criminal is a Negative.

Whilst these Things are doing, the Notary writes every Thing down in the Process, as what Tortures were inflicted, concerning what Matters the Criminal was interrogated, and what he answered. If by these Tortures they can't draw from him a Confession, they shew him other kind of Tortures, and tell him he must undergo all of them, unless he confesses the Truth. If neither by this Means they can extort the Truth, they may, to terrify him and engage him to confess, assign the second or third Day to continue, not to repeat the Torture, till he hath undergone all those Kinds of them to which he is condemned.

The Degrees of Torture formerly used were five, which were inflicted in their Turn, and are described by *Julius Clarus*. *Know therefore, says he, that there are five Degrees of Torture, viz. First, the being threatened to be tortured. Secondly, being carried to the Place of Torture. Thirdly, by stripping and binding. Fourthly, the being hoisted up on the Rack. Fifthly, Squassation.*

This Stripping is performed without any Regard to Humanity or Honour, not only to Men, but to Women and Virgins, tho' the most virtuous and chaste, of whom they have sometimes many in their Prisons. For they cause them to be stripped, even to their very Shifts, which they afterwards take off, forgive the Expression, even to their *Plundera*, and then put on them strait Linen Drawers, and then make their Arms naked quite up to their Shoulders. As to Squassation, 'tis thus performed: The Prisoner hath his Hands bound behind his Back, and Weights tied to his Feet, and then he is drawn up on high, till his Head reaches the very Pully. He is kept hanging in this Manner for some time, that by the Greatness of the Weight hanging at his Feet, all his Joints and Limbs may be dreadfully stretched, and on a sudden he is let down with a Jink, by the slacking the Rope, but kept from coming quite to the Ground, by which terrible Shake, his Arms and Legs are all disjointed, whereby he is put to the most exquisite Pain; the Shock which he receives by the sudden Stop of his Fall, and the Weight at his Feet, stretching his whole Body more intensely and cruelly.

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In the next Paragraph, he gives a more distinct Explication of this Matter, and reckons up three Degrees of Torture. The first is to terrify, which comprehends not only Threatnings to Torture, but the being carried to the Place of Torments, the being stripped and bound: unless such Binding should happen to be too severe and hard, and performed with a Twist, as is the Custom of most Judges. Thus it was practised upon a certain Physician of Olexo, who suffered more by being bound, than others in the very Torture. And therefore such Binding may be equalled to the Torture itself. The second Degree is, to put to the Torture, or to interrogate by Torture. This is done by hoisting a Person up, and keeping him hanging for a considerable Time. The third is to torture by Squassation, which is performed amongst us by one Jirk of the Rope. But if the Senate commands that the Person be well or severely thus tortured, they give two Jirks of the Rope. Antonius Drogus, in his Annotations to this Place, says, That you may have the perfect modern Practise, observe, that when the Senate orders, Let him be interrogated by Torture, the Person is lifted or hoisted up, but not put to the Squassation. If the Senate orders, Let him be tortured, he must then undergo the Squassation once, being first interrogated as he is hanging upon the Rope and Engine. If it orders, Let him be well tortured, 'tis understood that he must suffer two Squassations. If it orders, Let him be severely tortured, 'tis understood of three Squassations, at three different Times within an Hour. If it says very severely, 'tis understood that it must be done with Twisting, and Weights at the Feet. In this Case the Senate generally expresses the Twisting, or any other particular Manner which they intend, and the Judge may proceed to every Severity not reaching to Death. But when it says, Very severely even unto Death, then the Criminal's Life is in immediate Danger.

The like Method of Torture was formerly practised in the Inquisition at Tholouse, as appears from several Places in the Book of Sentences. Thus fol. 67. at the End of the Sentence of William Siered, jun. we read, Nor would he judicially confess concerning the aforesaid, till he was put in Prison, and hoisted up a little upon the Rope. And in fol. 131 we read, that William Cawallerii, after a considerable Time, revoked what he had before confessed, saying, that he confessed nothing concerning Heresy, but what was forced from him by the Violence of Torment. And finally, fol. 132. in the Sentence of Friar Bernard Deliciosi, of the Order of Minors, amongst other Things, this was imputed to him as a Crime, That he justified those who were apprehended for Heresy, and condemned for it, and ordered to perpetual Imprisonment and other Punishments, and that also they

they were true Catholics, they had confessed Heresy of themselves and others, only thro' the Violence of their Torments, and were unjustly condemned.

The Method of Torturing, and the Degree of Tortures now used in the Spanish Inquisition, will be well understood from the History of *Isaac Orobio*, a Jew, and Doctor of Physick, who was accused to the Inquisition as a Jew, by a certain Moor his Servant, who had by his Order before this been whipped for Thieving; and four Years after this he was again accused by a certain Enemy of his for another Fact, which would have proved him a Jew. But *Orobio* obstinately denied that he was one. I will here give the Account of his Torture, as I had it from his own Mouth. After three whole Years which he had been in Prison, and several Examinations, and the Discovery of the Crimes to him of which he was accused, in order to his Confession, and his constant Denial of them, he was at length carried out of his Prison, and thro' several Turnings brought to the Place of Torture. This was towards the Evening. It was a large under-ground Room, arched, and the Walls covered with black Hangings. The Candlesticks were fastened to the Wall, and the whole Room enlighthned with Candles placed in them. At one End of it there was an inclosed Place like a Closet, where the Inquisitor and Notary sat at a Table; so that the Place seemed to him as the very Mansion of Death, every Thing appearing so terrible and awful. Here the Inquisitor again admonished him to confess the Truth, before his Torments began. When he answered he had told the Truth, the Inquisitor gravely protested, that since he was so obstinate as to suffer the Torture, the Holy Office would be innocent, if he should shed his Blood, or even expire in his Torments. When he had said this, they put a Linen Garment over his Body, and drew it so very close on each Side, as almost squeezed him to Death. When he was almost dying, they slackened at once the Sides of the Garment, and after he began to breathe again, the sudden Alteration put him to the most grievous Anguish and Pain. When he had overcome this Torture, the same Admonition was repeated, that he would confess the Truth, in order to prevent farther Torment. And as he persisted in his Denial, they tied his Thumbs so very tight with small Cords, as made the Extremities of them greatly swell, and caused the Blood to spirt out from under his Nails. After this he was placed with his Back against a Wall, and fixed upon a little Bench. Into the Wall were fastened little Iron Pullies, thro' which there were Ropes drawn, and tied round his Body in several Places, and especially his Arms and Legs. The Executioner drawing these Ropes with great Violence, fastened his Body with them

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them to the Wall, so that his Hands and Feet, and especially his Fingers and Toes, being bound so streightly with them, put him to the most exquisite Pain, and seemed to him just as tho' he had been dissolving in Flames. In the midst of these Torments the Torturer, of a sudden, drew the Bench from under him, so that the miserable Wretch hung by the Cords without any Thing to support him, and by the Weight of his Body drew the Knots yet much closer. After this a new kind of Torture succeeded. There was an Instrument like a small Ladder, made of two upright Pieces of Wood, and five cross ones sharpened before. This the Torturer placed over against him, and by a certain proper Motion struck it with great Violence against both his Shins, so that he received upon each of them at once five violent Strokes, which put him to such intolerable Anguish, that he fainted away. After he came to himself, they inflicted on him the last Torture. The Torturer tied Ropes about *Oratio's* Wrists, and then put those Ropes about his own Back, which was covered with Leather, to prevent his hurting himself. Then falling backwards, and putting his Feet up against the Wall, he drew them with all his Might, till they cut thro' *Oratio's* Flesh even to the very Bones; and this Torture was repeated thrice, the Ropes being tied about his Arms, about the Distance of two Fingers Breadth from the former Wound, and drawn with the same Violence. But it happened, that as the Ropes were drawing the second time, they slid into the first Wound, which caused so great an Effusion of Blood, that he seemed to be dying. Upon this, the Physician and Surgeon, who are always ready, were sent for out of a neighbouring Apartment, to ask their Advice, whether the Torture could be continued without Danger of Death, lest the Ecclesiastical Judges should be guilty of an Irregularity if the Criminal should die in his Torments. They, who were far from being Enemies to *Oratio*, answered, that he had Strength enough to endure the rest of the Torture, and hereby preserved him from having the Tortures he had already endured repeated on him, because his Sentence was, that he should suffer them all at one time, one after another. So that if at any time they are forced to leave off thro' Fear of Death, all the Tortures, even those already suffered, must be successively inflicted, to satisfy the Sentence. Upon this, the Torture was repeated the third time, and then it ended. After this he was bound up in his own Clothes, and carried back to his Prison, and was scarce healed of his Wounds in seventy Days. And inasmuch as he made no Confession under his Torture, he was condemned, not as one convicted, but suspected of *Judaism*, to wear for two whole Years the infamous

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Habit called *Sambenito*, and after that Term, to perpetual Banishment from the Kingdom of *Seville*.

Ernestus Eremundus Frisus, in his History of the *Low-Country* Disturbances, gives us an Account from *Gonsalvius*, of another Kind of Torture. There is a Wooden Bench, which they call the Wooden Horse, made hollow like a Trough, so as to contain a Man lying on his Back at full Length, about the Middle of which there is a round Bar laid across, upon which the Back of the Person is placed, so that he lies upon the Bar, instead of being let into the Bottom of the Trough, with his Feet much higher than his Head. As he is lying in this Posture, his Arms, Thighs, and Shins, are tied round with small Cords or Strings, which being drawn with Screws at proper Distances from each other, cut into the very Bones, so as to be no longer discerned*. Besides this, the Torturer throws over his Mouth and Nostrils a thin Cloth, so that he is scarce able to breathe thro' them, and in the mean while, a small Stream of Water like a Thread, not Drop by Drop, falls from on high, upon the Mouth of the Person lying in this miserable Condition, and so easily sinks down the thin Cloth to the Bottom of his Throat, so that there is no Possibility of Breathing; his Mouth being stopped with Water, and his Nostrils with the Cloth, so that the poor Wretch is in the same Agony as Persons ready to die, and breathing out their last. When this Cloth is drawn out of his Throat, as it often is, that he may answer to the Questions, it is all wet with Water and Blood, and is like pulling his Bowels thro' his Mouth. There is also another Kind of Torture peculiar to this Tribunal, which they call *the Fire*. They order a large Iron Chafing-Dish full of lighted Charcoal, to be brought in, and held close to the Soles of the tortured Person's Feet, greased over with Lard, so that the Heat of the Fire may more quickly pierce thro' them.

This is Inquisition by Torture, when there is only half, full Proof of their Crime. However, at other times Torments are sometimes inflicted upon Persons condemned to Death, as a Punishment preceding that of Death. Of this we have a remarkable Instance in *William Lithgow*, an Englishman, who, as he tells us in his Travels, was taken up as a Spy in *Mallagon*, a City of *Spain*, and was exposed to the most cruel Torments upon the Wooden Horse. But when nothing could be extorted from him, he was

* These two Methods of Punishment seem to be taken from the two different Forms of the ancient *Ecclesi*.

delivered to the Inquisition as an Heretick, because his Journal abounded with Blasphemies against the Pope and the Virgin Mary. When he confessed himself a Protestant before the Inquisitor, he was admonished to convert himself to the Roman Church, and was allowed eight Days to deliberate on it. In the mean while the Inquisitor and Jesuits came to him often, sometimes wheedling him, sometimes threatening and reproaching him, and sometimes arguing with him. At length they endeavour'd to overcome his Constancy by kind Assurances and Promises. But all in vain. And therefore, as he was immoveably fixed, he was condemned in the Beginning of *Lent*, to suffer the Night following eleven most cruel Torments, and after *Easter* to be carried privately to *Granada*, there to be burnt at Midnight, and his Ashes to be scattered into the Air. When Night came on, his Fetters were taken off, then he was stripped naked, put upon his Knees, and his Hands lift up by Force; after which, opening his Mouth with Iron Instruments, they filled his Belly with Water till it came out of his Jaws. Then they tied a Rope hard about his Neck, and in this Condition rolled him seven times the whole Length of the Room, till he was almost strangled. After this they tied a small Cord about both his great Toes, and hung him up thereby with his Head towards the Ground, and then cut the Rope about his Neck, letting him remain in this Condition, till all the Water discharged itself out of his Mouth; so that he was laid on the Ground as just dead, and had his Irons put on him again. But beyond all Expectation, and by a very singular Accident, he was deliver'd out of Prison, escaped Death, and fortunately sail'd home to *England*; as we shall elsewhere acquaint our Reader.

If when the Person is decently tortured; he confesses nothing, he is allowed to go away free; and if he demands of his Judges that he be cleared by Sentence, they can't deny it him; and they pronounce, that having diligently examined the Merits of the Process, they find nothing of the Crime of which he was accused, legally proved against him. There is extant in this Case a Decree in the *Madrid Instruction*, An. 1561. cap. 54. If the Criminal overcomes the Torture, the Inquisitor must then weigh and consider the Nature of the Proofs, and the Degree and Form, or Manner of the Torture, and the Disposition, or Nature and Age of the tortured Criminal. All which Things considered, if it appears that he hath sufficiently purged himself of all Marks, let them absolve him from any farther Process. But if there be any Reason and Cause, upon considering the aforesaid Circumstances, to think that the Torture was not insisted

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with due Rigour, then let them inflict on him either a light or vehement Abjuration, or some pecuniary Penalty. Altho' this ought not to be done without great Consideration, and unless the Proof are not thought sufficiently purged off.

But if, when under the Question, he confesses, 'tis written in the Process; after which he is carried to another Place, where he hath no View of the Tortures, and there his Confession made during his Torments is read over to him, and he is interrogated several times till the Confession be made. But here *Consalvius* observes, that when the Prisoner is carried to Audience, they make him pass by the Door of the Room where the Torture is inflicted, where the Executioner shews himself, on purpose to be seen, in that Shape of a Devil, I have described before, that as he passes by, he may, by seeing him, be forced to feel, as it were, over again his past Torments. The Space of Time allowed between the Torture and the Ratification of the Confession, is determined by the *Madrid Instruction*, An. 1561. capl. 53. Twenty-four Hours after the Torture, the Criminal must ratify his Confession, and if he retract it, the Remedies provided by Law must be made use of. And at the time when the Torture is inflicted, the Notary must write down the Hour, as also the Time of the Ratification, lest if such Ratification should be made the next Day, a Doubt may arise, whether it was after or before the twenty-four Hours. If the Criminal ratifies his Confession made under Torture, and the Inquisitors are satisfied of his good Confession, and Condemnation, they may admit him to Reconciliation, altho' his Confession was made under Torture. They may, however, prudently take Care how they receive such Persons, and consider the Nature of the Heresies they have confessed, and whether they have learnt them from others, or have taught them themselves to others, upon Account of the Danger that may ensue hereby.

How the INQUISITOR begins his Office.

We are now to give an Account of what relates to the Execution of the Inquisitorial Office. This will be a more difficult Task, because, altho' the Inquisitors are bound to certain Laws, yet many Things are left to their Pleasure. Besides, the very Application of the Laws to particular Cases, which come before the Inquisitors, and also the Method of proceeding and drawing a Confession from the Prisoners, depends very much on their Will. Hence it comes to pass, that altho' all the Inquisitors are directed by certain general Laws, so that one and the same general

Method of Proceeding is observed by all, yet, as to many Circumstances, the Method is very various and different; which besides cannot be so fully explained, because the Inquisitors learn many Things rather by Use and Practice, than by Instruction and Precepts, especially considering that they oblige all Persons by Oath, whom they dismiss from the Prison of the Inquisition, to Silence, that the Secrets of the Inquisition, as tho' they were the sacred Mysteries of Ceres, may not by any Means be revealed. I have determined therefore faithfully to give my Reader what soever the Popish Doctors, and the Inquisitors themselves have with great Labour gathered together from the Lawes, Papal Bulls, and their Instructions, concerning the Method of Proceeding, and to illustrate the Whole by such Examples as offer themselves to me. And that I may omit nothing, I will trace this Matter from the very Beginning, viz. from the very first Moment in which the Inquisitor begins his Office, down to the Acts of Faith, in which the Sentences are pronounced upon all the Prisoners, and actually put in Execution.

When the Inquisitor is first constituted by the Pope, he must present himself to the King, or Temporal Lord of those Territories, in which the Inquisitor is deputed by the Apostolick See, and exhibit his Apostolick Commission. Then he must demand his Protection for himself, his Colleague, Notary, Servants, and their Effects, and his Orders to his Officials to obey the Inquisitor in apprehending Hereticks, their Believers, Receivers, Defenders, Favourers, and such as are defamed for Heresy, and that they do all and singular Matters that belong to their Office, in making Execution against the aforesaid, to extirpate heretical Pravity, and to extol the Catholick Faith, whensoever, and as often as they are required by the Inquisitor, or in his Name.

When he hath obtained these Letters, he must likewise exhibit his Apostolick Commission to the Archbishop and Metropolitan of the Province to which he is deputed, as also to all the Bishops and their Vicars, to whose Diocesses he is sent. After this, he must shew the Letters, which he hath obtained from the King or Temporal Lord of the Place, to his Officials, and require of them according to the Law of the Emperor *Frederick*, that at the Desire of the Inquisitor, or other Catholick Men, they will apprehend Hereticks, and when taken, strictly keep them, till being condemned by the Ecclesiastical Censure, they perish with an accursed Death. Finally, he takes an Oath from these Officials for their defending the Church against heretical Pravity, and that they will obey the Inquisitor with all their Might, for which But he summons them

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before him by Letters. If they appear, he proposes the Form of the Oath to them. If they consent to take it, they must do it publickly in the Church, or in some other Place appointed for that Purpose, upon their bended Knees, and their Hands upon the Book of the Gospels. If the Officials desire Time to consider, and refuse after the Expiration of it to take the Oath, the Inquisitor, a few Days after, must cite them before him, and demand of them to take the Oath, under the Penalty of Excommunication. If they appear within the fixed Term, and consent to swear, the same Form of the Oath is shewn them. If they do not appear, after the said Time is elapsed, they are declared excommunicate, and the Excommunication is ordered to be published in the Cathedral Church. After the denouncing the Excommunication, they are absolved from the Sentence of it if they will take the Oath, and enjoined some hard arbitrary wholesome Penance, as shall be most conducive to the Honour of the Faith. When their Absolution is given, they are denounced free from Excommunication. However, they cannot be absolved, unless they first take this Oath, at the Command of the Inquisitor. *I swear, that I will obey the Commands of the Church.* Or thus: *I swear, that I will stand to, and obey thy Commands.*

But if they abide under this Sentence of Excommunication two or three Months, the Processess are aggravated, and they are commanded to be denounced publickly excommunicated in the aforesaid Churches, with lighted Candles thrown on the Ground, or put out in Water, and the Bells rung once or oftener in a Week or Day. If, without being terrified by this Excommunication, they refuse to take the Oath, they are not only excommunicated, but all who have any manner of Converse with them, who eat, drink, or talk with them. If, nevertheless, they persevere in their Contumacy, their Lands are put under an Ecclesiastical Interdict. If after this they will not take the Oath, they are deprived of the Honour and Office of Government, as Infamous, Favourers of Hereticks, and suspected of the Faith, and are condemned to be never hereafter admitted to any publick Office or Dignity; and whatsoever they do after this is null. And this Sentence is commanded to be published by those who have the Cure of Souls in the Cathedral and other Churches. If the City or Place acquiesces in the Sentence, and deprives such Persons of their Offices, others are chose in their Room, who, before they are admitted to the Discharge of their Office, are bound to take the Oath which the others have refused. But if the City doth not submit to the Sentence, but supports their Officials, who are deprived of their Offices by the

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the Inquisitor, he may cut it off from all Communication with other Cities, and deprive it of the Episcopal Dignity. But they think it better to acquaint the Pope with the Contumacy of such a City, that he may order in what Manner to proceed against it.

At this Day the Inquisitors in *Spain*, when they enter upon their Province or City, where they never were before, must in the first Place shew their Letters of Delegation, by which they are created Inquisitors, to the Chapter of the greater Church, and Consistory of the City, that it may appear that they are Judges of the Causes of Heresy. And such who have offended therein must be proscribed by the Inquisitors, and apprehended and punished by the Royal Hand.

But if the Officials, terrified by the more grievous Denunciation of the Inquisitor, take the Oath, they are freed from their Excommunication; but receive an heavy Penance, which is always encreased, according as their Contumacy is longer or more aggravated. In their first Penance they are enjoined to stand in the Gate of the Church, or on the Steps before the Altar, on several Sundays, or Holidays, whilst the greater Mass is saying, and whilst there is a large Concourse of People, without Hat or Shoes, and to hold in their Hands a Wax-Taper of a certain Weight, and to offer it to the Priest when the Mass is ended: Or they must do this always, or at some certain Time, when it happens that the Inquisitor makes a general Sermon for the Faith. Other milder Punishments may be also thought of; for Instance, some larger Almsgiving, the building some Holy Place, and the like. But if they persist longer in their Contumacy, there is somewhat added by way of Penance, which directly turns to the Honour of the Christian Faith.

During these Transactions, whether the Oath be taken or not, the Inquisitor may, and must, appoint in every Bishoprick one Commissary of forty Years old, a Religious or Secular Clergyman, a wise and prudent Person, famous for Knowledge and Good Manners, and zealous for the Holy Faith, with a Power of receiving Denunciations and Informations, or Accusations, from or against any Persons whatsoever, and of proceeding, and doing other Things, which the Inquisitor himself, if present, could do.

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CHAP. XV.

At this Day the Inquisitor in Spain, when they enter upon their Province or City, *Of the Promulgation of the Edict of FAITH.* by which their created Inquisitors, to the their Letters of Delegation.

THE Commissaries thus appointed or not, the Inquisitor appoints a General Sermon. And that there may be no Hindrance to the Offices of the Church, he must not appoint this Sermon on a solemn Festival, but on the common *Sunday*, excepting *Lent*, or the *Advent*, and must take Care that the Rectors of the Churches have these Letters of Indiction on *Sunday*, that the *Sunday* after, they may appoint the general Sermon to be the *Sunday* following. And that the Solemnity of that Day may be the greater, all other Sermons on it must be suspended; and it must be notified to all the Heads of Religious Houses, and Indulgencies of forty Days promised to all who come to the Sermon. When the *Sunday* before that, on which the general Sermon is to made, comes, the Inquisitor must admonish the Heads of Religious Houses, that two or four of each Religion be present at the said Sermon.

On the *Sunday* appointed, the Inquisitor makes the general Sermon to the People, in which he speaks concerning the Faith, commends it, and exhorts the People to the Defence of it, and the Extirpation of heretical Pravity. When the Sermon is ended, he admonishes the People, that 'tis their Duty to discover it to the Inquisitor, if they have known any Person that hath spoken or done any thing against the Faith, or who holds any Error. After this Admonition, he commands monitory Letters to be read from the Pulpit by his Notary, or some other Clergyman, by which all Persons, of whatsoever Condition or State, Clergy or Laity, are commanded, under Pain of Excommunication, to discover to the Inquisitor, within six or twelve Days next following, any Heretick or Person suspected of Heresy, that they know. These monitory Letters are an Edict of the Faith, and usually read out of the Pulpit. The Form of which Edict will be found in our Appendix.

After the Sentence of Excommunication is read, the Inquisitor explains it more distinctly, and reduces it to several Heads. Then he publishes an Indulgence of forty Days to all who come to his Sermon, and promises, in the Name of the Pope, Indulgences for three Years, to all who give him Counsel or Favour in his Office of reducing Hereticks.

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The Persuasion of St. Paul.





He also adds three other Years of Indulgences to those who discover to him any Heretick, or Person defamed for Heresy, or suspected, or who in any other Case bear true Witness before him in a Cause of Faith, according to the Privilege of *Urban IV.*

Finally, he assigns a Time of Grace to all Hereticks, and their Favourers, and Persons suspected of Heresy, viz. the entire Month following, and promises, that if within that Space they come to him freely, or not admonish'd, by Name, and don't wait till they are denounced, accused or apprehended, and voluntarily discover their Guilt, and ask Pardon, they shall obtain large Pardon and Mercy, viz. Freedom from Death, Imprisonment, Banishment, and Confiscation of Effects. However, this Power of granting Pardon is allowed the Inquisitors only when they are sent to a City or Diocese, in which the Inquisition is first erected; but not when, upon the Death or Removal of an Inquisitor, another is put into his Place. In *Spain* also, the Letters Patent of such Grace must be inserted in the Edict.

The Publication of the Edict of Faith is repeated every Year, and all are obliged, under Penalty of Excommunication, to be present at the publishing of it, and at the general Sermon concerning the Faith, unless they are prevented by Sickness, Age, or any other Hindrance, and can make a legal Excuse.

The Oath which all Persons, not only private, but Magistrates, are compelled by the Inquisitors to take, obliges them not to obstruct the Office of the Inquisition, either directly or indirectly. Such are believed to obstruct it indirectly, who do not reveal the Truth they know, i. e. do not accuse to the Inquisitor every one they know to be an Heretick, or suspected of Heresy. So that in *Spain* they are doubly obliged to accuse to the Inquisitor every Heretick, first under Penalty of Excommunication, which they incur if they are wanting in their Duty; and secondly, by their own Oath.

Nor is there any Regard to Kindred in this Affair. For the Brother is bound under the same Penalty to accuse his Brother, yea, the Wife her Husband, and the Husband his Wife, if guilty, or suspected of Heresy. *Pegna* however thinks, that the Wife is to be excused, if she doth not accuse her Husband for eating Flesh on prohibited Days, if the Husband be a terrible Fellow, and she is afraid of ill Usage from him. In all other Cases he thinks the Wife is obliged to accuse her Husband.

Lewis de Carvajal, altho' Governor and Captain-General of the Province of *Tampico* and *Pamico*, was forced to walk out in publick Penance,



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Lewis de Carvajal, altho' Governor and Captain-General of the Province of *Tampico* and *Pamico*, was forced to walk out in publick Penance,

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because he did not denounce four Women, who were secretly *Jews*, and to whom he was Uncle ; and that tho' a little before he had the honourable Title of President, he was forced to hear his ignominious Sentence publickly, was for ever deprived of all Offices under the King, reduced to the lowest Misery, and, thro' Grief and Weariness of his Life, soon went the Way of all Flesh.

'Tis disputed amongst the Popish Doctors, whether a Son be obliged to accuse his Father, who is a secret Heretick, or at least to discover him to the Judges. The general Opinion is, that he is obliged to it. But others think differently, because there is no Law, natural, divine, or human, that lays such a Burthen on the Shoulders of Children. And yet even such who are of this Opinion, confess the Son may do it, especially if the Father be incorrigible : Yea, think such a Son ought to be commended who conquers his natural Love, and overcomes this most strong Affection, from an ardent Love to Divine Religion. He must, however, try every Method before he accuses his Father to the Judge. But yet they teach, that there are two Cases in which the Son is obliged to betray his heretical Father to the Judges. The first, when the Son is legally interrogated by the Apostolick Inquisitors ; the second, when the Father's Heresy is dangerous to the Common-wealth.

The Reward of such Accusation is, that the Son who thus acts, is freed from the Penalties ordained against the Children of Hereticks, according to the Law of the Emperor *Frederick*. *Nor do we think proper to exclude from the Bounds of Mercy such, who not following the Heresy of their Fathers, shall discover their secret Wickedness ; so that in what Manner soever the Father's Guilt be punished, let not the Innocence of their Children be subject to the aforesaid Punishment.*

And from this Obligation to accuse, no one is freed, of whatsoever Order and Dignity they may be. For the Edict of Faith obliges all. So that they will have neither Princes nor Kings themselves exempted. *Joan*, the Daughter of the Emperor *Charles V.* was cited by the Inquisitors to be interrogated before them, against a certain Person, concerning some Things relating to the Faith. She consulted her Father, who advised her to make her Deposition without any Delay, lest she should incur Excommunication, not only against others, but even against himself, if she knew him to be blameable in the least Matter. *Joan* obeyed this Command of her Father, and immediately deposed before *Ferdinand Valdez*, Archbishop of *Seville*, at that Time Bishop and Inquisitor-General.

'Tis

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'Tis the present Custom in *Spain* for one of the Inquisitors in these Acts, to visit the Province, and to propose general Edicts where-ever he goes, by which he commands, under Penalty of Excommunication, that whosoever knows of any Thing done or said against the Catholick Faith and Evangelick Law, he must immediately discover it to the Inquisitor. Whatever is reported, must be secretly written down by the Notary of the Inquisitors. The other of the Inquisitors remains in the City, in which their Residence is fixed, and must preside, in ordering the Acts of Causes. But if there be no Occasion for his Residence there, that he may not sit idle, he must visit in the same Manner the other Part of the Province.

This Visitation and general Inquisition the Inquisitors must make, each in his Turn, thro' all the Cities and Corporations of their Province; and if they are negligent in this Affair, they must be deprived of their Office. In this Visitation the Inquisitors may compel all those whom they judge proper, to swear and bear Witness, and must take particular Care not to be entertained by those who are related and akin to Hereticks, *Jews*, and *Mahometans*, which must also be observed by their Ministers. Nor must they receive any Gratuity from the Persons where they lodge, because they are to be content with their Salaries, and because sometimes an intimate Friendship is contracted by this Means.

Whilst one of them is visiting the Province, the other Inquisitor stays at home, that all who come voluntarily may have Access to him. If they come within the appointed Term, and accuse themselves, he treats them more gently. He must not, however, admit them after the Manner of Sacramental Confession, but after the Manner of Confession in a Judicial Court; so that they must declare their Crime before the Inquisitor, and the Notary take down their Confession.

After such Confession, every one of them is interrogated by the Inquisitor, whether he hath adhered to such Errors, or only been in doubt concerning them? For how long Space of Time he hath continued in them? From whom, and how he learnt them? Whether he hath had and read any heretical or suspected Books? What they were, from whom he had them, and what he hath done with them? Other Questions are added concerning his Accomplices in Heresies, that he may tell the Names of all those Hereticks, or Persons suspected of Heresy, whom he knows. He is farther asked, Whether he hath ever been inquisited, processed, or accused or denounced in any Tribunal, or before any Judge, on account of the aforesaid Errors, or other Things relating to Heresy? He is also

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admonished simply to tell the whole Truth which he knows, as well of himself as of others; because, if he is afterwards found deceitfully to have concealed any Thing, he is judged as one whose Confession is imperfect, and as impenitent, and feignedly converted. Finally, he is interrogated, Whether he repents of these Errors and Heresies into which he hath fallen? And whether he is ready to abjure, curse, and detest them, and all other Heresies whatsoever, that exalt themselves against the Holy Apostolick and *Roman* Church, and to live for the future catholickly, according to the Faith of the Church of *Rome*, and devoutly to fulfill the salutary Penance enjoined him?

If the Inquisitor finds that he was before admonished, yet he is to be dealt with more gently, because he appeared voluntarily. For such are said voluntarily to return to Favour, who come within the Time of Grace, altho' they have been admonished. For they don't appear to be forced, since they are apprehended by no one. Yea, 'tis the same if they come after the Time of Grace, whilst their Cause is entire, because they were not personally required, nor the Proofs against them received.

However, at their first Appearance, the Inquisitors must not write down, that they appeared voluntarily; because such Appearance, after Accusation, altho' the Person may not have been verbally cited, is not presumed to be voluntary, nor made with a candid and pure Will, but is rather thro' Terror, and unwilling, thro' Fear and Dread of the Proofs, to avoid the ordinary Punishments. However, it may be minuted down, that Such-a-one appeared not cited or called.

If the Crime be entirely concealed, the Inquisitor may absolve him secretly, enjoining him wholesome Penance. But if it be not secret, and the Person confesses that he hath not only believed wrong, but hath revealed his erroneous Belief to others, and infected them, the Inquisitor must proceed against him, according to the Canonical Sanctions; but yet in a milder Manner, because he came of himself, without being called on, and within the Time of Grace.

If those who thus voluntarily confess, say, that they have done any external Action against the Faith, without any Error of the Understanding, altho' some sort of Proof may have preceded, they must not be proved to be Hereticks; for those who are ready to be corrected, must by no Means be reckoned amongst Hereticks. From these Things they infer, that if any one confesses that he hath done certain *Jewish* Ceremonies, or those of any other Sect, upon the account of some Profit to himself, he is not to be accounted an Heretick. This sometimes is the Case

Case of Captives, who, without any other Intention but that of their being better freed from their Captivity, externally deny the Faith. *San Vincente* the Inquisitor tells us, That he saw a certain Person who wanted to satisfy his lustful Desires upon a Woman, who was one of the newly converted *Saracens*. She promised to lie carnally with him, if he would first perform a Ceremony of their Sect, called *Gaodoc*. He, tho' an old Christian, in order to gratify his lewd Inclinations, did it, but immediately went and voluntarily confessed it; adding, that he had no other evil Intention. After consulting the Supreme Senate, he was absolved, *An. 1618*. A Case may however happen, when a Person who makes a voluntary Confession, may be obliged to abjure vehemently. A certain new Christian of the *Saracens* being driven from *Spain*, was afterwards taken by the Christians. He immediately accused himself, that whilst he was amongst the *Moors*, he did some Ceremonies and Acts of the *Mahometan* Sect, denying an evil Intention therein. But as some of these Things seemed to the Inquisitor entirely voluntary, viz. his marrying an Infidel *Moorish* Woman for his Wife, without any Violence, or any other Advantage, he examined his Fellow-Captives; and when it was proved that he made his Confession thro' Fear of Proof, it was determined that he should abjure as vehement, which Determination pleased the Supreme Council. But when this very Criminal had been kept in Custody a few Days, in order to his confessing the whole Truth, he made the Confession desired, and was reconciled in Form.

And in this Case many foolishly deceive themselves with a false Opinion, believing, that because Favour is promised to such who appear voluntarily, they shall be free from all Punishment; because they are only saved from the more terrible ones, in being left to the Pleasure of the Inquisitors to inflict some penitential Punishment on them, according to the Nature of their Crime, as will appear from the following Instance.

" There was at the City of *Cadiz*, a certain Foreigner, who yet had
 " lived in *Spain* for twenty Years, who, according to a common Superstition, dwelt in a Desert in a certain Chapel, upon the Account
 " of Religion. Hearing in his Chapel of the great Number of those
 " who were taken up every Day at *Seville* by the Inquisitors, for what
 " they call the *Lutheran* Heresies; having heard also of the Decree of
 " the Inquisitors, by which he was commanded, under the Terrors of
 " Excommunication, immediately to discover to the Inquisition whatsoever he knew of those Things, either as to others or himself; the
 " poor stupid Hermit comes to *Seville*, goes to the Inquisitors, and ac-
 " cuses

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“ cuses himself, because he thought the said Inquisitors would use singular Clemency towards those who thus betray’d themselves. His Crime was, That whereas, being about twenty Years before this at *Genoa*, and hearing a certain Brother of his disputing about a Man’s Justification by Faith in Christ; of Purgatory, and other Things of the like Nature, he did not wholly condemn them, tho’ he never thought of them afterwards. He therefore acknowledged his Crime, and came to ask Mercy. When the Lords Inquisitors had received his Confession, they commanded the poor Hermit to Prison, where, after a long Confinement, he was brought out in publick Procession, and was sentenced to wear the Sanbenito, to three Years Imprisonment, and the Forfeiture of his Effects.”

Sometimes also they use a certain Stratagem to draw Persons to a voluntary Appearance before the Inquisitors. “ When they have apprehended any remarkable Person, who hath been the Teacher of others, or who they know hath been resorted to by many others, upon account of his Doctrine and Learning, as being a Teacher and Preacher of great Repute; ’tis usual with them to cause a Report to be spread amongst the People, by their Familiars, that being grievously tortured, he had discovered several of those that had adhered to him, suborning some Persons out of the neighbouring Prisons, to assert that they heard his Cries amidst his Tortures, in order to give the greater Credit to the Report. These Reports are spread for this Reason, that such who have attended on his Instructions, or have been any ways familiar with him, may in time go to the Holy Tribunal, confess their Fault, and implore Mercy, before they are sent for, or apprehended. By this Means they impose on many, who, if they had waited for their Summons, had never been summoned at all. Or if it should have happened that they had been summoned, would not have been dealt with more severely than they generally are who trust to the Inquisitors Promises.

Of the three Methods of beginning the Process before the Tribunal of the INQUISITION.

If any appear within the Term assigned to discover Hereticks, &c. to reveal to the Inquisitor certain Matters relating to the Faith, such * Den-

* There is this Difference between a Denunciation and an Accusation. A Denunciation doth not disable the Person that makes it to be a Witness, as an Accusation doth.

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nunciations must be received judicially. If so great a Number appear, that the Denunciations of all cannot be taken judicially, the Inquisitor must provide himself with a distinct Book in every Diocese, to write down in it all the Denunciations brought to him, the Names of the Denouncers and Witnesses, and the Town and Place where they dwell; which Book he keeps privately to himself, that the Names of the Denouncers may not be discovered, and they thereby come into any Danger.

When the Time of Grace is elapsed, the Inquisitor must carefully examine the Informations, *viz.* which have the greater Appearance of Truth, and which Crimes are more heinous and prejudicial to the Faith. Where this appears he begins to make Inquisition, by citing the Informer, giving him his Oath, and taking the best Information from him that he can. If he finds no Appearance of Truth, he over-rules it; but however, must not cancel the Information out of his Book, because what may not be discovered at one time, may at another. If he finds an Appearance of Truth, he makes farther Inquisition.

Now there are three Ways of Proceeding and beginning the Process. First, by Accusation, which must be preceded by * Inscription. Secondly, by Denunciation, which must be preceded by a charitable Admonition. But 'tis now the Custom in *Spain*, that Hereticks, altho' concealed, must be immediately discovered to the Judges, without any brotherly Correction. So that those who, under pretence of brotherly Correction, do not discover secret Hereticks to the Inquisitors, and those who advise them not to do it, are punished as Concealers of Hereticks, and as Hinderers of the Office of the Holy Inquisition. Thirdly, by Inquisition, which must be preceded by notorious Suspicion. This Inquisition is either General or Special. The General is, whensoever the Inquisitors visit their Province, or when being newly created, they go to the Provinces decreed to them, and begin to exercise their Inquisitory Office. For then they publish general Edicts, to enquire out secret and uncertain Hereticks, for the Exercise of which there is no Need of preceding Infamy. But the Inquisitors are obliged, *ex officio*, thus to act at certain stated Times.

* Inscription is a certain Instrument, by which the Accuser, if he fails in his Proof, binds himself to undergo the same Punishment, which the accused Person must, if the Crime he is accused of be fully proved.

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But of these three Methods of Proceeding, the first, by way of Accusation, is not used; the second, by Formation, altho' common and usual, yet seems rather to be the Beginning than the Completion of the whole Process; because upon Information given against those who are guilty of High-Treason against the Divine Majesty, to the Judges of the Faith, they begin to enquire and to proceed, and in this whole Affair the Inquisition claims to itself what is otherwise done chiefly by Witnesses. And therefore the Judges are called Inquisitors, and the Tribunal and Ministers are said to be of the Office of the most Holy Inquisition, from this third Method of Proceeding by Inquisition.

How the Process begins by way of INQUISITION.

When the Process is made by Inquisition, he who goes to the Inquisitor says, that he doth not appear as an Accuser or Denouncer, but only relates to him that there is such a Report, and that it hath frequently come to the Ears of the Inquisitor from grave and reputable Persons, that such a one hath done or said some Things against the Faith, and the publick Report plainly discovers the common Insinuation. And by this Means the Process is carried on.

Then the Inquisitor causes certain Witnesses to be cited, especially grave and reputable Persons, and in the Presence of a Notary, and two Religious, or otherwise reputable Persons, enquires of them only concerning the Report. Whether 'tis the common Report of such a one, that he did or said such Things against the Faith? How they know there was such a Report? How long such Report hath been? Whether they know such Person to be defamed? Whether they know whence the Report arose? Whether from ill-disposed Persons or others? And the like.

When the Report is thus proved, the Inquisitor proceeds to enquire out the Truth of the Affair. For this Purpose he causes the Witnesses to be cited, and especially such as have been intimate with the Person accused, and other reputable Men, and zealous for the Faith; and after giving them their Oath, he enquires of them, not concerning the Report, but the Thing itself, in Presence of the Notaries, and two Religious, or reputable Persons. After this he proceeds to draw out a Confession from the Criminal himself. And first he goes to the Place of the Inquisition, where, when the Criminal appears before him, he tells him that he is excited and moved by the Fame and frequent Reports, that he, the Criminal, appearing and standing before him, hath taught, written, or
publickly

publickly declared certain Things against the Truth of the Catholick Faith, or that he hath believed and favoured such who teach these Things, or received or defended them. That therefore he, according to his Office, cannot dissemble that there is such a Report; however, that he will not condemn him, till these Crimes are legally and plainly proved before him.

If the Criminal be not defamed of the Crimes laid in the Articles of the Inquisition, and he makes this Exception, the Promoter Fiscal and the Denouncer must necessarily prove the Defamation.

If this cannot be done, the Criminal is absolved from all farther Concern in Judgment. He may also prove himself to be a Person of good Report. For Instance, if he is accused of being defamed for defending the Doctrine of an Heretick, by some Writing that he published, he may prove that he confuted such Doctrine by writing against it; or if he be accused of harbouring an Heretick, in some House belonging to him, he may prove that he hath no Home in that Place, nor ever had since such Person hath been taken for an Heretick. He may likewise object, that such evil Report was raised of him by loose and infamous Persons, Enemies, Conspirators, and the like.

But if the Inquisitor proceeds and inquisits not at the Promotion, Denunciation, or Instance of another, but *ex mero officio*, the Criminal is not to be heard when he excepts, that he is not defamed of the Crime objected to him; nor is the Judge obliged to regard such Infamy; for there is no Person who can oblige him to do it, unless the Criminal appeals. In this Case the Judge must inform his Superior of the Infamy of the Appellant. If also any one departs from the common Conversation of the Faithful in Divine Worship, he is not to be heard, if he alleges that he is not defamed. For Inquisition may be made against him without Infamy.

How the PROCESS begins by Accusation.

When the Accuser reports to the Inquisitor any Crime committed by another, and the Accusation hath the Appearance of Truth, they proceed in this Manner, according to the Instruction of *Eymerick*, which hath been long observed. First the Inquisitor enquires, Whether the Accuser will accuse, and proceed in the Affair by way of Accusation, or not? If he says he will proceed by way of Accusation, he is to be admonished by the Inquisitor, that he renders himself liable to the Punishment of

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Retaliation, unless his Proof be good. But this Method of Proceeding the Inquisitor must not easily allow, because tis not customary in a Cause of the Faith, and because tis very dangerous, and greatly difficult to the Accuser. But if the Accuser persists, he must give his Accusation in Writing, which must be written by the Notary, in order to begin the Process. But others contend, that in the Crime of Heresy tis not necessary that a Person should oblige himself to the Law of Retaliation. And as they now seldom admit the Person of an Accuser, they have constituted a publick Minister, whom they call the Fiscal, who sustains the Person of the Accuser, and accuses the Criminals, who doth not oblige himself to the Punishment of Retaliation, nor any others which false Accusers usually suffer.

How the PROCESS begins by Denunciation.

But if the Accuser says, as is commonly the Case, that he will not accuse, but denounce; and that he doth this thro' Fear of, incurring the Penalty of Excommunication, ordered by the Inquisitor for discovering Things pertaining to the Faith within the prescribed Term, then the Inquisitor prepares himself to make Inquisition. And because this is the ordinary and most generally used Method of the Inquisition, I will describe it more largely and distinctly, that hereby the whole Method of making Inquisition may be more fully understood.

When the Denouncer, who is also called the appearing Witness, comes to the Bishops or Inquisitors, before the Notary takes his Denunciation in a juridical Manner, he is usually asked, what he hath to propose? that they may know, whether what he is determined to denounce belongs to the Holy Office. Because sometimes Country ignorant People, or those who are troubled with Scruples, bring such Matters before them, the Cognisance of which doth not belong to the Inquisitors. When they find that the Crime brought before them is cognisable by the Holy Office, they make the Denouncer swear that he will relate the Truth. After this the Notary receives the whole Denunciation before the Bishop or Inquisitor, or their Vicar, taking down the Denunciation, or the Report of the Denouncer in the first Person. And that there may no Doubt arise as to the Validity of the Oath, to spoil the Credit of the Denunciation, as the Inquisitor doth not only take an Oath from the Denouncer, or Witness voluntarily appearing, but also from the Witness who is cited, upon the Holy Scriptures touched with their Hands; so tis farther

ther requisite, that the Notary should write at length, that such a one took his Oath touching the Scriptures, and not only write down, touching with an &c. that there may be no Difficulty in defending such Acts upon account of this Defect.

The Oath being taken, the Denouncer is interrogated concerning various Things by the Inquisitor. "First, If he be not a well known Person, he is interrogated concerning his own Name, Surname, Country, Employment, and Place of Abode. Then, how long he hath known N. against whom he denounces? Likewise, how he came to know him? Again, whether he observed that the aforesaid N. was suspected of Matters relating to the Faith from his Words, or his Actions? Likewise, how often he had seen the said N. do or say those Things for which he thought him an Heretick, or suspected of Heresy? Likewise, at what Time, and in the Presence of whom, the aforesaid N. did or said those Things of which he is denounced? Likewise, whether the aforesaid N. hath had any Accomplices in the aforesaid Crimes, or any Writings belonging to the Offences denounced? Likewise, to what End and Purpose the aforesaid Things were done or said by the aforesaid N. whether seriously, or in Jest? If it appears that there was a long Interval of Time between the Commission of the Crimes denounced, and the making the Denunciation, the Inquisitor interrogates the Denouncer, Why he deferred so long to come to the Holy Office, and did not depose before? especially if he knew, that he incurred the Penalty of Excommunication by such Omission." They account this Interrogatory necessary for two Reasons. First, Because the Delay of Denouncing may give a just Presumption of Calumny in the Denouncer. Secondly, That it may be known, whether he hath been compelled by his Confessor to denounce, upon his Refusal to absolve without denouncing, in which Case greater Credit is given to the Denouncer. "He is moreover asked, Whether he knows any Thing farther of N. which concerns the Holy Office, or of any other Person? Likewise, Whether he hath at any time had any Cause of Hatred or Enmity with the aforesaid N. and whence it proceeded? With what Zeal, and with what Intention he comes to the Holy Office, and to make Denunciation? Whether he hath denounced thro' any Passion of Mind, Ill-will, Hatred, or Subornation? And he is admonished ingenuously to tell the Truth." He is especially interrogated how he came by his Knowledge, because on that principally the Truth and Weight of the Testimony depends. From the Denunciation, and

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the Answers to these Interrogatories, they form other Questions, that there may be nothing wanting in the Inquisition. And whatsoever the Denouncer answers to these Interrogatories, the Notary writes down.

The Denunciation thus received, three Things are usually observed before the Denouncer goes from Audience. First, the whole Denunciation, as written down, must be read over to the Denouncer, that he may add, take away, or alter as he pleases. Secondly, The Denouncer must subscribe to his Deposition; or if he can't write, he must at least put under it the Sign of the Cross. Thirdly, The Denouncer must take an Oath of Secrecy. All these Things are exactly written down by the Notary.

Sometimes the Denouncers bring with them their Denunciation written down by themselves, which they give to the Inquisitor. When this is done, the Inquisitor receives it in the Place of Audience, and gives it to the Notary to insert in the Process. The Notary also further inserts in the Acts, that N. delivered his Denunciation in Writing to the said Inquisitor, containing so many Leaves, beginning thus, &c. and ending thus, &c. and the Inquisitor commands the Denouncer to subscribe his Name.

After the Denouncer hath discharged his Duty by legally denouncing, he hath no farther Concern, but the whole Affair is left to the Inquisitor to make Inquisition concerning the Offence of the Offender, from the Witnesses named by the Denouncer. Before therefore we proceed to the Examination of the Witnesses, we must premise some Things concerning the Witnesses themselves, *viz.* as to their Person and Number.

All Persons may be Witnesses as well in Civil as Criminal Causes that are not expressly prohibited. In the Affair of the Inquisition, in Favour of the Faith, all Persons, even such as are not allowed in other Tribunals, are admitted as Witnesses, Enemies only excepted. But here they distinguish between the Accuser or Denouncer, and the Witness. For although an Enemy can never be a Witness, he may be an Accuser or Denouncer, and his Denunciation must not be neglected by the Inquisitor.

But 'tis quite otherwise as to Witnesses themselves, for an Enemy is not admitted as a Witness. Not that every sort of Enmity prevents a Person from being a Witness, but mortal Enmity only. So that, according to them, several Crimes do indeed lessen the Credit of the Evidence, but do not wholly render the Persons incapable of being Witnesses. In like manner every sort of Enmity doth indeed somewhat weaken the Weight of the Evidence, but don't entirely overthrow it, unless it be mortal Enmity.

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The Causes by which we are to judge of mortal Enmity, are various, and determined by the *Spanish* Law. If any one hath killed, or endeavoured, or even threatened to kill the Kinsman of that Person against whom he would bear witness; if he hath laid Snares for his Life, or accused him of a Crime, which, if proved, would be punished with Death, Loss of a Member, Banishment, or the Forfeiture of all, or the greatest Part of his Estate. And because the Names of the Witnesses are not discovered to the Person accused, as shall be fully shewn hereafter, because of the Danger that might accrue to them, the Inquisitors are ordered to enquire concerning the Enmity of the Witnesses, and to search out if there are any Causes, from which it may be probably gathered that there is mortal Enmity between the Criminal and them, the whole of which is left to the Prudence and Pleasure of the Inquisitor. But if an Enemy be reconciled, he may be a Witness, provided the Reconciliation be not new, but of long standing. Whether it be one or the other, the Inquisitor is to determine.

But except these mortal Enmities, almost all kind of Persons may be admitted as Witnesses by the Inquisitor.

First, Persons excommunicated, and guilty of the same Crime. Next to Persons excommunicated, are joined Hereticks, *Jews*, and Infidels, who, in the Crime of Heresy, are admitted as Witnesses against Hereticks. But because 'tis provided by the Laws, that Hereticks shall not be admitted as Witnesses, an Heretick is not allowed as a Witness for one of the Faithful. But if an Heretick, whether in Prison or elsewhere, charges one of the Faithful, or one who is esteemed as such, with the Crime of Heresy, or as a Partaker of his Crime, tho' this doth not amount to half Proof, so as to occasion his being apprehended, yet it is Discovery enough to proceed to a secret Inquisition against him. But, as was said, the Testimony of an Heretick against an Heretick, is admitted, but not for an Heretick. They affirm the same of a *Jew* and an Infidel, who, when they are admitted as Witnesses, must not swear upon the Gospels as Christians do, but according to their own Laws.

In like manner the Testimony of a Wife, Sons, and Daughters, or Domesticks, against Persons accused of Heresy, is allowed, but by no Means in their Favour and Behalf. The Reason *Simancas* gives, why Kindred are admitted as Witnesses against Kindred, is, because they can't possibly be suspected. Yea some add, that when other Proofs are wanting, the Judge may compel not only a Brother, but even a Wife, or Son,

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Son, to witness against a Father. Servants also may be tortured against their Masters.

Even perjured Persons, who having taken an Oath before the Inquisitors to speak the Truth, have forsworn themselves by concealing it, and would afterwards correct themselves, and swear back again against themselves and others, are to be admitted, if it plainly appears that they act not from Levity of Mind, nor the Instigation of Enmity, nor from being corrupted by Money, but from their Zeal for the Orthodox Faith; and that on this Account they would discover in Favour of the Faith what they had concealed before, as *Alexander IV.* hath decreed, and as may be found in the VI. of the Decretals. And altho' perjured Persons are not allowed as Witnesses even after Repentance, yet 'tis quite different in a Cause of the Faith; and the Doctors observe, that such a one's second Deposition must be stood to, when hereby he discovers the Crime of Heresy. But if when he takes his second Oath, he denies what he deposed concerning Heresy when he took his first, the first Deposition must be stood to, and not the second; for which they give this Reason; because he may have spoken with the Criminal, and so is presumed to be corrupted and suborned, and therefore his first Deposition stands firm.

Farther, infamous Persons may be admitted as Witnesses in this Tribunal, such as Whores and Bawds, when they testify of Things done in the Bawdy-house. Such also as are under the Ban, whom the Inquisitors may cite before their Tribunal, and grant a safe Conduct, that they may be examined as Witnesses in the Tribunal of the Inquisition, altho' the Secular Prince hath put them under the Ban, because the Inquisitor is greater than any Supreme, Secular Judge, and may proceed in Causes of the Faith freely, and without any Impediment whatsoever of Law or Fact. Usurers also, Bastards, common Blasphemers, common Gamblers, Persons quite drunk, and not only exhilarated by Wine, Stage-Players, and Prize-Fighters, Apostates from Religion, Persons bastinadoed, Bankrupts, Traitors, Backbiters and Spendthrifts. But they add, that these are not Witnesses above all Exception, and that they amount only to half Proof; that they may be admitted to prove Heresy, and the substantial Circumstances that prove it; such as Familiarity with Hereticks, Secret Conventicles, and the like; but not the external Circumstances necessary to it, Baptism for Instance, which is pre-requisite in the Case of Heresy. Besides the Number of Witnesses may make good their Incapacity, though every one singly should be incapable of being a Witness;

ness; yea, if the Number be large, 'tis sufficient to inflict the ordinary Punishment. This Number they fix, and say that four are sufficient to condemn the Criminal to the ordinary Punishment. Others leave it to the Inquisitor to determine the Number.

Here 'tis to be observed, that a Witness, whatsoever he is, saying one Thing out of the Trial, is not allowed to say the contrary in the Trial; so that they stand to what he first says, unless 'tis to be presumed that he spoke fraudulently. As if a Witness of mean Fortune should say in the Presence of some great Person somewhat in his Favour, and afterwards should say upon Oath the contrary, what he first says must not stand good, because 'tis presumed he said it to please the Party, but what he afterwards says at the Trial must be allowed, because 'tis supposed he speaks Truth through Fear of his Oath. 'Tis otherwise where there is no such Presumption.

Of the Number of the WITNESSES.

As to the Number of the Witnesses, 'tis generally believed that two Witnesses are sufficient fully to prove Heresy, and to condemn any one for Heresy. But 'tis necessary they should be worthy of Credit, and, as they say, above all Exception. Hence it is, that tho' excommunicated Persons, and those guilty of the same Crimes, are not absolutely rejected from being Witnesses against Hereticks, their Defenders, Receivers, and all other suspected Persons, yet full Credit is not to be given to them, unless it appears that they speak Truth, from probable Conjectures, the Number and Quality of the Persons, and other Circumstances.

The Informer or Denouncer is now also reckoned amongst the Witnesses. For altho' no Man can be Accuser and Witness in the same Cause, yet he who discovers an Heretick to the Judges, is a legal Witness. For, as they say, such a Witness is not influenced by any private Advantage, but by a Zeal for the most Holy Religion, and for the Publick Benefit of the Catholick Church, and with a View to the Amendment of the Heretick. Nor can he have any private Interest to discover an Heretick, but only as being of the Number of the Christian People, in which Case they affirm the Testimony of the Informer to be complete.

Several single and entirely different Witnesses have no more Weight than one Witness.

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There are some who say that a Man may be proved to be an Heretick by single Witnesses, as if one should witness against him for one Heresy, another for another, and others likewise for other Heresies. In such a Case they assert it will be proved in general, that the Man is an Heretick. But as particular Heresy can't be proved by single and separate Witnesses, so neither can it be proved that any one is an Heretick in general by the same Witnesses; for by the same way it might be proved that a Man was a Catamite in general; upon which Occasion *Simancas* gives us a pleasant Story. A certain Person, a Year ago, cried out, and said, it was proved in general by single Witnesses, that such a one was a Catamite. I remember, says he, I answered, if this wicked Crime is proved in general, let the Punishment likewise be inflicted in general. Let the Individual be safe, and, if you please, let the Catamite in general be burnt.

Yet there are two Cases, in which Heresy may be proved by single Witnesses. The first is, when the Witnesses testify of the same Species of Heresy, but are different as to the Place and Time. For they agree in the Proof of the same Heresy, whereas the Place and Time are quite foreign Things, and are not necessary Circumstances to the Proof of Heresy. The second is, when single Witnesses aim at the same End, are many in Number, and worthy of Credit.

However, in such a Case, 'tis left to the Inquisitors Pleasure to proceed as they think fit, as 'tis expressly commanded in the Constitutions of the Bishop of *Albano*, Legate of the Apostolick See, who, 'tis probable, was appointed Legate, and published by the Pope's Commission many Constitutions, relating to the Punishment of Hereticks, and the Order of proceeding against them, about the Time when the poor Men of *Lions*, or the *Albigenses*, and other Hereticks, infested the Countries of *France* and *Lombardy*. These Constitutions are very useful to private Inquisitors, to enable them to determine rightly and profitably Causes and Controversies of the Faith, and are extant in an old Parchment Manuscript in the *Vatican* Library, and in a very old one at *Florence*. Amongst other Things in it, 'tis thus determined: *But when the Witnesses or Informers differ in what they depose, but yet agree in the Substance and Nature of the Thing, we leave it to the Pleasure of the Inquisitors so to proceed, as, in the Sight of God, they shall think fit, especially if common Fame, and the Fitness and Credit of the Deposers, agree and make against him who is to undergo the Inquisition.*

to the Examination of the Witnesses. Of the Examination of the Witnesses.

After having thus spoken of the Witnesses themselves, I now come to their Examination. When therefore the Witnesses named by the Informer are found out, the Inquisitor orders them to be cited by his Spiritual Messenger, to the Office of the Inquisition, where, when they come, they are legally examined. First, they take an Oath upon the Scriptures to speak the Truth. After this he is asked by the Inquisitor, Whether he knows, or can guess, the Cause of his Citation and present Examination? If he says yes, he is interrogated, how he knew it? If he says no, he is interrogated, whether he hath known, or doth now know any one or more Hereticks, or Persons suspected of Heresy, or at least is able to name any such? *Simancas* gives a short Account of this Matter.

When the Witnesses come to the Inquisitors, to testify against Hereticks or suspected Persons, they are to be exhorted and admonished, that they don't dare to give false Witness thro' Hatred, Enmity, or other evil Affection. And besides, it must be declared to them, how heinous a Wickedness all false Witnesses commit, but especially those who defame innocent Persons with the Crime of Heresy. But if they affirm, that they are moved only by a Zeal for the Catholick Faith, their Testimonies are to be written down.

'Tis the Custom in some Inquisitions, that before the Criminal is apprehended, the Witnesses named by the Denouncer should, after two or three Days, be cited again, and interrogated upon Oath, laying their Hands on the Scriptures, whether they have any farther Truth to communicate besides what they deposed in their former Examination. And whatsoever is the Answer, the Notary takes it from his Mouth.

If there be Reason to apprehend from the Circumstances of the Witness, that he will discover the Cause, he is enjoined Silence, under the Penalty of Excommunication, *latae sententiae*, after a single Admonition, and other Penalties, at the Pleasure of the Holy Office. Sometimes also, for just Reasons, they take Care and command the Witness or Witnesses not to depart from the Palace or House of the Inquisitor, without the express Leave of the Inquisitor, written under his Hand.

After the same Manner all other Witnesses named by the Informer in his Information, are examined.

But if the Informer be also a Partaker and Partner in the Crime, and when informing against his heretical Companions, deposes nothing against

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himself, and any Thing appears against him from the Examination of the Witnesses or Accomplices, he is cited by the Inquisitor, and proceeded against as a Criminal, but punished in a milder Manner, because of his having informed against others.

In the Examination of Witnesses, in many Places, there must be five Persons present. The first is the Judge, i. e. the Inquisitor or his Commissary, whose Business is to examine the Witnesses and Persons accused, by forming Articles and Interrogatories upon them. The second is the Witness. Every one of these must first swear to speak the Truth, otherwise their Deposition will be invalid. The Form of the Oath is commonly this: *I swear by God and the Cross, and the four most Holy Gospels, now touched with my Hands, that I will speak the Truth. If I do, so help me God; if I do not, so God condemn me.* The third Person is the Writer, who writes down the Interrogatories of the Inquisitor, and the Answers of the Person accused, and the Witness. He must be a publick Person, viz. a Notary that hath Authority, either a Layman, or Clergyman, or a Religious. But when the Inquisitor cannot have such a publick Person, or Notary, he may chuse two proper Persons, Secular, or Ecclesiastical, who jointly have the Power and Authority of one publick Person, and these two act by the Apostolick Authority in Writing. The fourth and fifth Persons are two who assist the Inquisitor, and are Witnesses to the whole Examination, and they must be two discreet Men, religious, or otherwise reputable. But when the Inquisitor cannot conveniently have these two Persons present at the whole Examination of the Witness, or Person informed against, he must, at least, have them at the End of the Deposition, when the Deposition is read over by the Notary to the Witness that deposes, or the Informer, in the Presence of the Inquisitor, and the two aforesaid discreet Persons, and then the Witness is asked if he stands to and perseveres in that Deposition. If he doth, 'tis written in the Acts, how that in the Presence of such Persons the Deposition was read to him, and he stood to it, and persevered in it. And this *Eymerick* thinks is sufficient. But as *Pegna* tells us, the Processes are now carried on in the Holy Tribunal generally without the Presence or Intervention of these Persons, and the Supreme Senate of the Roman and General Inquisition allows the Processes thus formed. And indeed, these two Persons are of no Use. The Pretence for their being present is, that there may be no Suspicion of foul Play, when the Things transacted are seen by so many Eyes, and open to so many Senses; and that they may know the Witnesses in the Stead of the absent Criminal. But

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how doth it make any thing to the Defence of the Criminal, that his Accusers are known to Persons that he himself knows nothing of, and who are forbidden to discover any Thing to him?

The Witnesses must be examined by the Inquisitors themselves, nor must their Examination be committed by any Means to any one else, unless the Witnesses are justly hindered, and the Judges cannot easily go to them, or ought not. In this Case the Inquisitors may commit the Examination of the Witnesses to the Bishop's Vicar, or other Ecclesiastical Judge, or to some skilful and prudent Man, who, with a Notary or Secretary to write down the Depositions in the Cause, must diligently examine the Witnesses, and send the Manner and Constancy, and other Circumstances of the Witnesses and their Depositions to the Inquisitors.

How the CRIMINALS, when informed against, are sent to Prison.

When the skilful Men or Counsellors are called together to give proper Advice, either as to the Quality of the Propositions, or the Weight of the Proofs and Discoveries, or as to the Process or giving Sentence, or any doubtful Article of the Cause, that nothing may appear in the whole Affair but a burning and serious Zeal for the Divine Glory, they make solemn Prayers to the Holy Ghost, which are usually said over in all the Congregations. The Inquisitor and Counsellors say them on their bended Knees. The Form is this :

We are here present, O God the Holy Ghost, we are here detained with the Greatness of Sin, but gathered together specially in thy Name. Come to us, be present with us, vouchsafe to enter into our Hearts, teach us what we should do, where we should walk, and shew us what we ought to perform, that we may be able to please thee, assisting us in all Things. Be thou the Health, the Suggestor and Maker of our Judgments, who alone with God the Father and his Son, possessest a glorious Name. Suffer us not to be Perverters of Justice, O thou who lovest the strictest Equity. Let not Ignorance draw us to the Left, let not Favour bend us, nor Regard to Office or Person corrupt us, but join us to thyself effectually by the Gift of thy only Grace, that we may be one in thee, and in nothing deviate from the Truth; and as we are gathered together in thy Name, so let us in all Things preserve Justice moderated by Piety, that our Sentence here may in nothing differ from thee; and that hereafter we may obtain Everlasting Rewards for our good Deeds. When the Prayer is ended, all answer, Amen.

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This Prayer, in the Time of *Carena*, was recited in the Inquisition at *Cremona*, by Cardinal *Camporeus*, Bishop of that City, the Inquisitor on his Right-Hand at a Corner of the Table, and the Vicar-General at his Left at another Corner, and the other Counsellors in their Order, all on their Knees. But if a single Bishop only is present, then the Bishop and Inquisitor sit at the Head of the Table, their Seats being equal, in all the Inquisitions in *Italy*. But the Bishop sits by Virtue of his Episcopal Dignity, in the Seat placed on the Right-Hand, and the Inquisitor in the other.

These Prayers being over, the Inquisitor consults whether the Cognisance of the Crimes, which are denounced and proved by the Witnesses, belongs to the Holy Office. If there be any Doubt of this, he must call in the Qualificator Divines, who must give their Opinion written and subscribed with their own Hands, that it may be inserted in the Process, as the Foundation of the Jurisdiction of the Inquisitor. If the Crimes are small; or the Propositions only sounding ill, scandalous, or blasphemous, or which do not include formal Heresy, no one upon account of these is immediately ordered to secret Imprisonment, but must rather be confined in some Monastery, or in his own House, or City. If these Things were omitted, the Inquisitors might possibly usurp to themselves Causes belonging to other Tribunals. Thus *Carena* relates, that on the First of *August*, Anno 1630, two *Portuguese* Women at *Placentia* received the Eucharist twice; and being interrogated, why they did it? they answered, because they apprehended, that as often as they communicated, they obtained the Jubilee of a Part, as they call it. On this they were kept in the Prisons of the Inquisition, and their Effects sequestered. But when the Lords Inquisitors found that the Cause did not belong to the Tribunal of the Faith, they dismissed them from Prison, and caused their Effects to be restored to them.

No one can be taken up without half full Proof at least, or such Evidence as is sufficient to put to the Torture, because the Imprisonment made by the Inquisitors, always renders the Prisoners infamous. But if the Person be otherwise suspected, for Instance, if he be of the *Moorish* Race, and hath been denounced before the Inquisitors, upon account of some Ceremonies of that Nation, he may possibly be imprisoned upon the Affirmation of one Witness, even tho' liable to some Exception, according to *Carena*, because the Presumption arising from his Birth, joined to the Deposition of such a Witness, would amount to an half Proof. And he gives an Instance, that in the Supreme Council of the *Spanish* Inquisition,

Inquisition, two Men were taken up for Heresy, at the Information of one Woman, under eighteen Years old, because they were both of *Moorish* Extract, and because the Ceremonies witnessed to by the Woman were *Mahometan*. And thus the Presumption was against them, because they were of that Race.

The Consultations which are held on these Affairs, are usually called Deliberations concerning the Citation of the Criminal, and this Citation is verbal or real. Verbal Citation is that which is made by Letters or a Messenger, which is used when the Question is about a lesser Crime, or if the Criminal be but slightly suspected. For if it be an heinous Crime, and fully proved, there is need of a real Citation, that the Criminal may not escape. This verbal Citation must not contain in it the Cause for which the Criminal is cited, and therefore 'tis not necessary to insert in it the Place, Time, or Offence, but he is commanded in general to come before the Inquisitors, because they want to know of him certain Matters. But this Method of Citation is not to be frequently used, because if such a one be examined, 'tis often found, that being free, and in Possession of his Liberty, he will not easily confess himself to be a Criminal. And such Citations and Examinations do rather tend to warn the denounced Criminals to take Care of themselves, and conceal their Crime, than to produce any other good Effect. They therefore think it safer to wait, till new Proofs and sufficient Discoveries arise. In the mean while they employ a careful Spy, one friendly and faithful to the Holy Office, to consider and search into such a one's Life, Manners, and Conversation.

A real Citation, or the actual apprehending any one, is usually decreed after this twofold Manner. In some Inquisitions, that the Prosecution may appear to be according to Jurisdiction, as comprehending in it the Accuser, Criminal, and Judge, the Procurator Fiscal, who is acquainted with every Thing in the Process that lies against the denounced Criminal, exhibits an Instrument, demanding that the denounced Criminal may be taken up, and duly punished; and in that Instrument he inserts and exhibits the Depositions against him, and the Qualification of the Propositions, that it may appear that he may legally be apprehended. This Demand of the Fiscal is usually inserted in the Process of the Person to be taken up. But in other Inquisitions, 'tis usual for the Inquisitors, after considering the Acts, to consult about apprehending the Person, without any Instance of the Fiscal, and to command what they resolve on to be put in Execution. And this Decree for the Apprehension is also usually inserted in the Process, with the Day, Month, and Year.

Year. But if the Party accused be some illustrious Person, or in any Post of great Authority, the Senate of the *Spanish* Inquisition must be consulted before he is to be apprehended, to whom, that their Deliberations may be right, they must send a Summary of the Proofs, and the Information of the Crimes. But this very great and exquisite Caution must not be observed, when there is any Fear of the Escape of the Person accused, or if he is a manifest Heretick. For in such Case they think it would be imprudent and dangerous to wait for the Answer of a Superior.

After 'tis determined that the Criminal shall be sent to Prison, the Inquisitor subscribes an Order for his Apprehension, and gives it to the Executor, who is to take up the Criminal. The Form of the Order is this: *By Command of the Reverend Father N. an Inquisitor of heretical Pravity, let N. be apprehended and committed to the Prisons of the Holy Office, and not be released, but by the express Order of the said Lord Inquisitor.* If several Criminals are to be taken up at the same time, a separate Order for each Person must be given to the Executor, that if it should be necessary to acquaint any Person, who is not one of the Ministers, or Officials of the Holy Office, with the apprehending of one or another Criminal, he may know nothing of the taking up of the rest. This Order must be inserted in the Criminals Process by the Notary, in the very Words in which 'tis given to the Executor. If the Inquisitors have an armed Attendance of their own, they give this Order to their own Executor. If they have not such an armed Attendance, but find it necessary to call in the Help of the Secular Judge, the Inquisitor must take Care, that such Orders be given to a trusty Executor, and who knows how faithfully to keep the Secret he is intrusted with, because, if the Person to be apprehended, should receive any private Information, he would easily escape.

In a City, where any Noble Persons, Doctors, or Religious, or others of Illustrious Birth or Dignity, are to be sent to Prison, the Commissary of the Inquisition, or some other Officer, usually goes to the Houses of such Persons, and takes them in a Coach and carries them to Prison. But if there is no Fear of their Escape, they are commanded to come to the Holy Office by a Special Messenger.

When the Criminal is apprehended, he must be well guarded, and if there be Need, put in Irons, and thus carried by the Executor to the Prisons of the Inquisition, and delivered into the Hands of the Prison-Keeper. The Keeper must take him into his Custody, and use him according

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according to the Laws made about Prisoners. If any one is to be brought from very distant Places, they don't think it safe for him to lodge in Inns, or private Houses, because by this Means he might easily make his Escape: and therefore the Executor is usually charged, to go to the Bishops of the Place, if there be any, or to the Secular Judges, that the Criminal may be placed and kept in their Prisons. And this the Inquisitor signifies by his Letters given to the Executor, to the Magistrates through whose Territories the Criminal is to be carried, and exhorts them to give the necessary and convenient Assistance to the Executor. And that no one may dare to oppose him, and that the Criminal may be kept in sure and safe Custody, they desire he may be attended with a proper Guard. But this Caution is not necessary in the Cities of Spain. For as soon as ever the Executor shews, that he is to apprehend any one by Command of the Holy Office, no one dares oppose him. And if any one should, the Mob would immediately run together to lend an helping Hand to the Holy Office, and so over-power him, that unless he would undergo the severest Treatment, he would, of his own Accord, offer himself to be taken up by the Executor.

Of the Examination of the PRISONERS.

When the Criminal is put in Prison, he is brought before the Inquisitor. The Place where he appears before the Inquisitor, is called by the Portuguese, the Table of the Holy Office. At the farther End of it there is placed a Crucifix, raised up almost high as the Ceiling. In the Middle of the Room there is a Table. At that End which is nearest the Crucifix, sits the Secretary or Notary of the Inquisition. The Criminal is brought in by the Beadle, with his Head, Arms, and Feet naked, and is followed by one of the Keepers. When they come to the Chamber of Audience, the Beadle enters first, makes a profound Reverence before the Inquisitor, and then withdraws. After this the Criminal enters alone, who is ordered to sit down on a Bench at the other End of the Table over-against the Secretary. The Inquisitor sits on his Right-Hand. On the Table near the Criminal lies a Missal, or Book of the Gospels, and he is ordered to lay his Hand on one of them, and to swear that he will declare the Truth, and keep Secrecy.

After taking this Oath of declaring the Truth both of himself and others, the Inquisitor interrogates him of divers Matters. As, Whether he knows why he was taken up, or hath been informed of it by any one or more Persons?

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Persons? Where, when, and how he was apprehended? If he says that he knows nothing of it, he is asked, Whether he can't guess at the Reason? Whether he knows in what Prisons he is detained? and upon what Account Men are imprisoned there? If he says he can't guess at the Cause of his Imprisonment, but knows that he is in the Prisons of the Holy Office, where Hereticks and Persons suspected of Heresy are confined, he is told, that since he knows Persons are confined there for their Profanation of Religion, he ought to conclude, that he also is confined for the same Reason, and must therefore declare what he believes to be the Cause of his own Apprehension, and Confinement in the Prisons of the Holy Office. If he says he cannot imagine what it should be, before he is asked any other Questions, he receives a gentle Admonition, and is put in mind of the Lenity of the Holy Office towards those who confess without forcing, and of the Rigour of Justice used towards those who are obstinate. They also compare other Tribunals with the Holy Office, and remind him, that in others the Confession of the Crime draws after it immediate Execution and Punishment; but that in the Court of the Inquisition, those who confess, and are penitent, are treated with greater Gentleness. After this he is admonished in Writing, and told, that the Ministers of the Holy Office never take up any one, or are used to apprehend any one, without a just Cause; and that therefore they earnestly beseech him, and command and enjoin him, exactly to recollect, and diligently to consider his Actions, to examine his Conscience, and purge it from all those Offences and Errors it labours under, and for which he is informed against.

After this he is asked, What Race he comes of? Who were his Parents and Ancestors? that hereby he may declare all his Family. Whether any one of them was at any time taken up by the Holy Office, and enjoined Penance? This they are especially asked who descend from *Jews, Mahometans*, and *Sectaries*. Where he was brought up? In what Places he hath dwelt? Whether he ever changed his Country? Why he did so, and went into another Place? With whom he conversed in the aforesaid Places, who were his Friends, and with whom he was intimate? Whether he ever conversed with any of his Acquaintance about Matters of Religion, or heard them speak about Religion? In what Place, and when, and how often, and of what Things or Matters, they conversed? They particularly ask these Questions of Persons whom they imagine to be crafty and cunning, and not easily brought to declare the Truth, that from their Kindred, Country, Education, Employment, Time past,

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past, Acquaintance, Friendship, Behaviour, and Words, the Inquisitor may draw strong Arguments of Suspicion. These Questions are especially asked, when such Criminals are examined, who have dwelt in the Countries of Schismaticks, Hereticks, and other infidel and erroneous Persons, because, when they have dwelt a long while amongst such Persons, they are believed the more easily to have followed their Practices.

He is moreover asked, Of what Profession he is, and what Employment of Life he follows? Whether he be rich or poor? What Returns he hath, and what the Expences of his Living? Then he is commanded to give an Account of his Life, and to declare what he hath done from his Childhood, even to this Time. And that he may declare all this, he is asked, In what Places or Cities he studied, and what Studies he followed? Who were his Masters? whose Names he must tell? What Arts he learnt? What Books he hath had, and read? And whether he hath now any Books treating of Religion, and what? Whether ever he hath been examined and cited, or sued, or processed before any other Tribunal, or the Tribunal of the Holy Inquisition, and for what Causes? and whether he was absolved or condemned, by what Judge, and in what Year? Whether ever he was excommunicated, and for what Cause? Whether he was afterwards absolved or condemned, and for what Reason? Whether he hath every Year sacramentally confessed his Sins, how often, and in what Church? Then he is commanded to give the Names of his Confessors, and of those from whom he hath received the Eucharist, and especially for the ten Years last past, and more. What Oration, or Holy Prayers he recites? Whether he hath any Enemies? whose Names he must tell, and the Reasons of their Enmity.

If the Criminal is persuaded by these, or by more or less such Interrogatories, openly to confess the Truth, his Cause is finished, because it is immediately known what will be the Issue of it.

But if after all these Interrogatories the Prisoner persists in the Negative, and says he doth not know why he is cited or sent to Prison, the Inquisitor replies, that since it appears from his own Words, that he will not discover the Truth, and that there is no Proof of his having such Enmities with any Persons, or that there are no such Causes of Hatred as he alledges, by which others could, or ought to be induced slanderously, and falsely to inform against him, that therefore there arises the stronger Suspicion, that the Depositions against him in the Holy Office are true. And therefore he is beseeched and adjured by the Bowels of Mercy of Christ Jesus, to consider better and better, and ingenuously

to confess the Truth, and to declare whether he hath erred in Words or Deeds in the aforesaid Matter relating to the Faith, and the Holy Office; or rendered himself suspected to others. All these Interrogatories proposed to the Criminals, and their Answers and Sayings, as proposed and spoken, are faithfully and at large to be written down by the Notary; and if the Criminal can write, he subscribes it; if he can't, he puts the Sign of the Cross.

If by such general Interrogatories the Inquisitor can't draw from the Prisoner a Confession of the Crime of which he is accused, he comes to particular Interrogatories, which relate to the Matter itself, or the Crimes or Heresies for which the Criminal was denounced. For Instance, if he was accused for denying Purgatory, then one, two, or three Days after his first Examination, he is again interrogated by the Inquisitor, Whether he hath any Thing, and what, to say, besides what he said in his other Examination? Whether he hath thought better of the Matter, and can recollect the Cause of his Imprisonment, and former Examination, or hath at least any Suspicion, who could accuse him to the Holy Office, and of what Matters? Whether he hath heard any one discoursing of Paradise, Purgatory, and Hell? What he heard concerning that Matter? Who they were that he heard speaking or disputing of those Things? Whether he ever discoursed of them? What he hath believed, and doth now believe about Purgatory? If he answers, that his Faith concerning it hath been right, and denies any ill Belief, but that he believes as Holy Mother Church believes and teaches, he is order'd to say what the Holy Roman Mother Church doth think and believe concerning this Article.

When he hath given in his Answer he is admonished to consider well and tell the Truth, and to beware of Lying, because the contrary is proved by Witnesses against him, viz. that speaking of Purgatory, he said such and such Things; and then they recite the Words which the Denouncer and Witness have deposed, were spoken by him. And thus he is successively in the same, or another Examination, interrogated in the same Manner concerning the several Articles for which he is denounced: As, whether he said, that simple Fornication is no Sin, that 'tis lawful to invoke Devils, and offer Sacrifices to them, and the like. All these Things the Notary receives, as in the first Examination, and the Prisoner subscribes them.

If the Prisoner's Answers don't agree with his former Answers, he is examined again and again; and, as shall hereafter be shewn, they proceed

ceed to farther Remedies. And whatever the Popish Doctors may write, they who have been in the Prison of the Inquisition with one Mouth complain, that they are left in Uncertainty for a long while, what are the Crimes of which they are accused; and that the Inquisitors would willingly draw from their own Mouths a Confession of Crimes to which they are not conscious. And this is cunningly invented for this Reason, that if any Person should have happened to have spoken any thing not agreeable to the *Roman Faith*, and of which possibly he is not accused, he may discover these Things also, because he is uncertain of what Crime he is accused, on Account of that horrid Silence which is there observed; or that he may accuse himself falsely of certain Things to free himself from that dreadful Prison. So that they all affirm their Accusations are not discovered to them till after a long Confinement, that so being broken and tired out with a continued and horrible Imprisonment, they may confess of themselves Things that never came into their Minds.

If the Prisoner knows the Reason of his being apprehended, and openly confesses every Thing of which he hath been accused to the Inquisitor, he is commended, and encouraged to hope for a speedy Deliverance. If he confesses some Things, but can't guess at others, he is commended for taking up the Purpose of accusing himself, and exhorted by the Bowels of Mercy of Jesus Christ, to proceed, and ingenuously to confess every Thing else of which he is accused, that so he may experience that Kindness and Mercy, which this Tribunal uses towards those, who manifest a real Repentance of their Crimes by a sincere and voluntary Confession. If the Case doth not relate to formal Heresy, but to some certain kind of Fortune-telling, or heretical Word, and the Prisoner confesses the Act or Word, but denies the heretical Intention, the Inquisitors use all their Endeavours to draw from him also a Confession. And first they enquire, Whether that Fact or Word was committed once, or oftener? If oftener, they don't easily believe the Criminal, affirming his good Intention and Belief; because the oftener an heretical Proposition was uttered, there arises a greater Suspicion, that both his Intention and Faith were bad.

If by no Means he can draw out a Confession from the Prisoner, he treats him more kindly in his Food and Drink, and procures certain Persons, no ways suspected concerning the Faith, to go to him, and frequently to converse with him of several Things, not at all relating to his Cause, and at length to persuade him to have Confidence in them, and to advise him to confess the Truth, promising that the Inquisitor shall

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be favourable to him, and that they will be Mediators in his Behalf. At length the Inquisitor comes along with them, and promises to shew him Favour if he will confess the Truth, for all is gracious that is done for the Conversion of Hereticks, and even their Penances are Graces, and Remedies. If the Person accused by this Means prays for Favour, and confesses his Error, the Inquisitor answers, You shall have much greater Favour than you asked: But promises it only in general Terms, for he thinks he fulfills his Promise, in shewing the least Kindness to him afterwards. And when they promise to shew Favour, 'tis understood only of those Punishments, which are left to their own Power, viz. several penitential Punishments, because they can't remit those which are appointed by the Law. They farther teach, that notwithstanding the Promise of such Grace, they may inflict penitential and arbitrary Punishments: because, if after a long time, continual Admonitions, and sometimes after the Torture, Criminals confess their Offence upon the Promise of such Grace, the Inquisitors may legally and justly inflict more grievous penitential Punishments, if they omit the lesser; for if one or another be remitted, they think they abundantly satisfy their Promise.

And by these flattering Assurances they sometimes overcome the Minds of more unwary Persons; and when they have obtained the designed End, immediately forget them all. Of this the following is a remarkable Instance.

In the first Fire that was blown up at *Seville*, *An.* 1558, or 1559, amongst many others who were taken up, there was a certain pious Matron, with her two Virgin-Daughters, and her Niece by her Sister, who was married. As they endured those Tortures of all Kinds, with a truly manlike Constancy, by which they endeavoured to make them perfidiously betray their Brethren in Christ, and especially to accuse one another, the Inquisitor at length commanded one of the Daughters to be sent for to Audience. There he discoursed with her alone for a considerable time, in order to comfort her, as indeed she needed it. When the Discourse was ended, the Girl was remanded to her Prison. Some Days after, he acted the same Part again, causing her to be brought before him several Days towards the Evening, detaining her for a considerable while; sometimes telling her how much he was grieved for her Afflictions, and then intermixing familiarly enough other pleasant and agreeable Things. All this, as the Event shewed, had only this Tendency, that after he had persuaded the poor simple Girl, that he was really, and with a fatherly Affection, concerned for her Calamity, and would consult as a

Father,

Father, what might be for her Benefit and Salvation, and that of her Mother and Sisters, she might wholly throw herself into his Protection. After some Days spent in such familiar Discourses, during which he pretended to mourn with her over her Calamity, and to shew himself affected with her Miseries, and to give her all the Proofs of his Goodwill, in order, as far as he could, to remove them, when he knew he had deceived the Girl, he begins to persuade her to discover what she knew of herself, her Mother, Sisters, and Aunts, who were not yet apprehended, promising upon Oath, that if she would faithfully discover to him all that she knew of that Affair, he would find out a Method to relieve her from all her Misfortunes, and to send them all back again to their Houses. The Girl, who had no very great Penetration, being thus allured by the Promises and Persuasions of the Father of the Faith, begins to tell him some Things relating to the Holy Doctrine she had been taught, and about which they used to confer with one another. When the Inquisitor had now got hold of the Thread, he dextrously endeavoured to find his Way throughout the whole Labyrinth, oftentimes calling the Girl to Audience, that what she had deposed, might be taken down in a legal Manner, always persuading her, this would be the only just Means to put an End to all her Evils. In the last Audience he renews to her all his Promises, by which he had before assured her of her Liberty, and the like. But when the poor Girl expected the Performance of them, the said Inquisitor, with his Followers, finding the Success of his Craftiness, by which he had in Part drawn out of the Girl, what before they could not extort from her by Torments, determined to put her to the Torture again, to force out of her what they thought she had yet concealed. Accordingly, she was made to suffer the most cruel Part of it, even the Rack, and the Torture by Water, till at last they had squeezed out of her, as with a Press, both the Heresies and Accusations of Persons they had been hunting after. For, thro' the Extremity of her Torture, she accused her Mother and Sisters, and several others, who were afterwards taken up and tortured, and burnt alive in the same Fire with the Girl.

But if they don't succeed neither with this Way, the Inquisitor permits some Person or other, who is not unacceptable to the Prisoner, to go to him, and converse with him, and if it be needful, to feign himself still one of his own Sect, but that he abjured thro' Fear, and discovered the Truth to the Inquisitor. When he finds that the Prisoner confides in him, he comes to him again late in the Evening, keeps on a Discourse

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Discourse with him, at length pretending 'tis too late to go away, and that therefore he will stay with him all Night in the Prison, that they may converse together, and the Prisoner may be persuaded by the other's Discourse, to confess to one another what they have committed. In the mean while, there are Persons standing at a proper Place without the Prison, to hear and to take Notice of their Words, who, when there is need, are attended by a Notary.

Now the Person, who thus treacherously draws out any Thing according to his Desire from his Fellow Prisoners, prays the Prison-keeper, when, according to Custom, he is visiting his Prisoners, to desire that he may have an Audience: For this is the Method the Prisoners take. And when he goes out of his Prison to give an Account of his Office, he discovers not only what he heard from any of the Prisoners, but also how they received the Doctrine proposed to them, whether with a chearful or angry Countenance, and the like; if they refused to give them an Answer, and what they themselves think of them. And the Accusations of such a Wretch they look on as the best and most unexceptionable Evidence, altho' the Person be otherwise one of no manner of Worth, Credit, or Regard.

These sort of Persons they call FLIES; and, as *Gonsalvius* tells us, they may be known and found out by this one Thing, that for the most part they thrust themselves into such sort of Conversations, without any one's asking them, and begin very impertinently such Discourses concerning Doctrine. And therefore he advises, that if the Prisoners act prudently, they will let them talk themselves weary, without giving them any Answer.

Lately in the Inquisition in *Spain* and *Portugal*, another Method is taken to draw a Confession from the Prisoners, viz. The Inquisitor suborns a certain Person, to go and speak to the Prisoner, and to tell him he comes of himself, and of his own accord, and to exhort him to tell the Inquisitor the Truth, because he is a merciful Man, and such fine Tales. This is now particularly the Custom in *Spain* and *Portugal*, as to those they call the new Christians. If the Prisoner affirms himself to be a Catholick, and denies that he is a Jew, and is not convicted by a sufficient Number of Witnesses, they suborn one to persuade him to confess. If he protests himself innocent, the other replies, that he also hath been in Prison, and that his protesting his Innocence signified nothing. What, had you rather dwell for ever in Prison, and render your Life miserable, by being ever parted from your Wife and Children, than redeem your

your Freedom, by confessing the Crime? By this and other like Things the Prisoners are oftentimes persuaded to confess not only real, but fictitious Crimes. And when their Constancy is thus almost overcome, the Inquisitor commands them to be brought before him, that they may make him a Confession of their Faults.

Gonsalvius justly wonders, how Men can be of so devilish a Temper, as voluntarily to hire themselves out to such Offices, and at so great an Expence to themselves, who, in order to obtain their Desire, don't refuse to be Prisoners with others, even for two or three Months together, in a vile narrow Prison, but bear willingly, what the Prisoners themselves bear with the greatest Uneasiness, all the Inconveniencies of it, Hunger, Nastiness, and Stench; and what is more wonderful, go out of one Prison into another, and then into a third, twice, thrice, four times, always experiencing the same Inconveniencies, and passing their whole Lives in such a Circle of Delights.

After these Examinations, if the Prisoner confesses nothing, he is carried back to Prison, and there kept sometimes for a whole Year, before he is again brought up to the Inquisitor. In the mean while, if he desires an Audience, to confess certain Matters, he may gently rap at the Door of his Prison. The Keeper being acquainted herewith by his Officers, immediately comes to him, and is desired by him to ask the Favour of the Inquisitor being brought before him.

If the Criminal will not answer to the Interrogatories judicially put to him, or answers uncertainly and doubtfully, as, I don't know, I don't remember, I have forgot; or when he answers as to the main Fact, but refuses to answer concerning the principal Circumstances of the Crime, if the Circumstances are such, which 'tis probable he may remember, he may be put to the Torture to make him precisely answer affirmatively or negatively: Because Criminals are not apprehended for the Crime of Heresy, without legal Proofs, *i. e.* more than half full Proof. 'Tis the same Case if they pretend Madness. Sometimes also they are humbled by Imprisonment and Fasting.

And to shew that they deal more mildly in their Tribunal than in others, they add, that in other Tribunals, when the Criminal is accused of any certain Fact, he hath not Time allowed him to deliberate whether he will confess, or be tried, but is immediately compelled to answer. But that in this Tribunal, where Criminals are dealt with more mildly and gently, they not only give them Time to answer when they ask it, but oftentimes admonish, and even invite them, to think better of the Matter,
and

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and carefully to recall to their Remembrance their Actions and Words, that they may answer truly, and that for this Reason they are often examined and interrogated. But in Truth this Pretence of Mercy is used only for this End, that the Criminal, who if convicted by two agreeing Witnesses, and still persisting in the Negative, is sure to be condemned as a Negative without Mercy, and delivered over to the Secular Court, may, through Fear of this horrible Punishment, confess the Crime he is accused of, and so be reconciled as a Penitent, by certain Penances laid on him by way of Punishment, or delivered over as impenitent to the Secular Court, and burnt alive. But if he revokes his Confession when made, and be not legally and fully convicted by Witnesses, he is most cruelly tortured, because by his own Confession he hath given Proof against himself sufficient for the Torture. If he is overcome by the Torture, and renews his Confession, he is punished as an Heretick; if he overcomes the Torture, he is enjoined salutary Penances at the Pleasure of the Inquisitor, as one suspected of Heresy.

As often as the Criminals or Witnesses are examined, either in their first or after Audiences, when the Examination is ended, before they go from Audience, the Inquisitors order the Notary clearly and distinctly, to read over to them their Depositions, that so the Criminals or Witnesses may add, diminish, correct, or change, what they please, that, if there be any Mistake, it may be rectified, which otherwise scarce could be. For if after the Criminal or Witness goes from Audience, or if at any Distance of Time after, they would amend or alter what they have said, it would not be allowed them. And therefore the Notary, at the End of the Examination, writes down, that the Deposition was read over to the Criminals or Witnesses, and adds whatever either of them added, diminished, altered, or amended.

If, besides the Deposition of the Informer, and the Witnesses named by him, they have any other Matters, the Inquisitors enquire farther, that the Evidence may be more fully confirmed. This they particularly observe, when the Witnesses or Criminal name any other Persons in their Examination on one Side or the other. If such Persons are present, the Inquisitor orders them to be called and interrogated. If they are absent, and it be not safe or easy to come at them, he writes to the Inquisitor or Bishop, in whose Diocese they are, that he should cite and interrogate them privately, and find out the Truth, and transmit the Matter to him faithfully and secretly as he discovers it.

How

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How the Prisoners are allowed an ADVOCATE, PROCURATOR, and GUARDIAN, and of the rest of the Proceedings.

When the Process hath gone thus far, and all the Informations and Proofs relating to the Cause, are taken in a summary Manner, and the Criminal fully examined, if he confesses his Crime, there is no room for a Defence, nor do they proceed to the re-examining of the Witnesses. But if he persists in the Negative, and demands the Depositions to be given him, whether he is presumed to be innocent or obstinate, he is admitted to his Defence, and all Matters are prepared to form the Process. And therefore, because the Criminal must be convicted by Witnesses, the Witnesses must be re-examined. And that the Criminal may not seem to be denied his Defence, he hath an Advocate, and Procurator allowed him. He is not, however, at Liberty to chuse the one or other as he pleases, nor is it lawful for any Advocate to defend an Heretick under Pain of Infamy. The Inquisitors appoint him his Advocate, and he is bound to them by Oath. The Criminal may also sometimes, if he demands it, have a second Advocate. The Qualifications necessary in such an Advocate, are these: That he be a good Man, not suspected as to his Honesty, skilful in the Canon and Civil Law, zealous for the Faith, and not in the least tinctured with Heresy, and he is allowed to the Criminal, according to the present Custom in *Spain*, after he hath received three Admonitions, freely to confess the Truth.

The Criminal also had formerly allowed him a Procurator. But these Procurators are now seldom allowed, because the Advocates are sufficient, and exercise the Office of Procurators. Yea, they say that the Inquisitors appear more truly to be the Procurators of the Criminals, since by Office they are to take Care of the Criminals Defences.

If the Criminals are under twenty-five Years of Age, they are allowed Curators (a sort of Guardians) by whose Authority they are defended, least thro' Unskilfulness, or Youth, they should conceal, or say any Thing, which if spoken or concealed, might be of Advantage to them.

The Advocate being thus granted, and sometimes, if the Criminal demands it, the Procurator also, the Inquisitor usually asks the Criminal Whether he allows the Witnesses examined against him, to be well and truly examined, and legally re-heard. If he answers, That he would have the Witnesses heard over again, and examined with his Interrogatories, and thus convict them of Falshood, the Inquisitor orders him a Copy of

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the Articles formed by the Procurator of the Exchequer, to the End that he may form his Interrogatories, and allows him three Days to give them in. If he answers, that he will consider, and consult his Advocate or Procurator, the Copy of the Articles formed by the Promoter of the Exchequer is given him, to assist him the better how to resolve. If he refers himself to the Disposition of the Law, 'tis the same Thing as if he had answered, he would have the Witnesses re-examined. Because, according to Law, the Proof of Witnesses received in a summary Manner, is not regular, unless they be fully re-produced when the Party is cited, and re-examined upon the Interrogatories of the Criminals, that they may thus confirm their Evidence and Depositions. If he answers, that he refers himself to the Pleasure of the Inquisitor, the Inquisitor must not accept it, lest it should be afterwards objected to him, that he hindered the Criminal from making a legal Defence, and therefore he refers him to his Advocate or Procurator. If he answers, that he allows the Witnesses, who have deposed against him, to be well and truly examined, and legally re-heard, but saves to himself the Liberty of making Exceptions against Persons, and their Depositions, in drawing out his Defences, this is wrote down by the Notary in the Acts. But altho' the Criminal should thus allow the Witnesses as legally examined, the Inquisitors must however take Care, that they be formally re-examined, especially when there is any Fear of their Death, or long Absence. In such a Case the Witnesses must be admitted, before the Trial commences.

After the Inquisitor hath received, as hath been said, Information against the Criminal denounced to him, the Procurator Fiscal, in some Inquisitions, presents in Court, in Presence of the Criminal, a Bill of Indictment, containing the Heads of the Offences, of which the Criminal is accused, and presents it to the Inquisitor. The Form of this Bill is not every where the same; but a Copy of one shall, for Satisfaction of the Readers, be inserted in the *Appendix*.

The Witnesses cited by the Judges, must be carefully examined and interrogated. And first they are asked, Whether they know why they are summoned? If they say they do know, or guess that they are summoned in the same Cause in which they have already given Witness before the same Judge, they are asked, If they remember what they deposed in the said Cause? And whether it be true? And whether they will add, take away, change, or correct any Thing? Whatsoever they answer must be faithfully written down by the Notary. Then they are examined again without seeing their former Depositions, that the Truth

or Falshood may more evidently appear from their Consistency or Inconsistency. Finally, this Confirmation of their Testimony must be made before the Judges and Secretary, and two religious and discreet Persons. For as the Party concerned is not allowed to be present, two Persons of Reputation must be present in his Stead.

If the latter Depositions do not agree with the former, the former must be read over to the Witnesses, and they interrogated what is the Meaning of this Difference in what they say, and gently admonished to persist in the Truth. Lastly, whatsoever they say must be written down; and if they contradict themselves, or falter, they must be sent into Custody, and, if the Case requires it, be tortured and punished.

When a Witness swears that he will conceal his Evidence, and is afterwards convicted of discovering it before the Publication of it, he may be condemned by the Judges at their Pleasure, either to do publick Penance, or to pay a Fine, or to Banishment, or the Pillory, or to be whipped; and, if the Nature of the Crime requires it, to the Gallies.

If the Witnesses are evidently caught in a Falshood, they may be punished by the Inquisitor, according to their Merits. He is accounted a false Witness who tells a Lye, by deposing a Falshood, and who suppresses or conceals the Truth. And if the Inquisitor finds any Witness to be manifestly false, he, together with the Bishop, may punish him.

Eymerick mentions a Case, which happened at *Tboulouse*, *An.* 1312. that a Father accused his Son of the Crime of heretical Pravity, and afterwards retracted it. His Sentence may be seen in the Book of the Sentences of the *Tboulouse* Inquisition, *fol.* 42. The Doctors however think, that as there is no Law extant concerning this Matter, such a one ought not to be delivered to the Secular Court, but that his Life ought in Mercy to be granted to him. But *Leo X.* by a Bull directed to Cardinal *Adrian*, Inquisitor-General of *Spain*, *An.* 1518. granted full Power of condemning to whatever Punishments the Inquisitor should think proper, and of delivering or turning over to the Secular Court, without any Fear of any Ecclesiastical Punishment or Censure, or Mark of Irregularity; which they believe ought to be done in this Case only, when the Witnesses have charged any one with formal Herefy, and the Criminal is delivered over to the Secular Court, and punished with Death, as a Negative and Impenitent, upon account of their Evidence. But when any false Witness voluntarily accuses himself, and asks for Mercy, before the Person he gave Evidence against is delivered over to the Secular Court, and put to Death, they think he ought to be spared, and his Life given him,

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him, but that he ought to suffer some very grievous Penance. Thus they acted in that Instance of *Tholouse*, with *Pontius Arnaldi*, a false Witness against his Son, in the Crime of Heresy, acknowledging his Fault, and craving the Mercy of the Inquisitor, who was condemned to perpetual Imprisonment, in which, during Life, he was to do wholesome Penance, with the Bread of Grief, and the Water of Affliction; and besides this, to stand publickly, so as to be openly seen and known by all By-standers, upon an high Ladder, before the Door of the Cathedral-Church of *St. Stephen*, the same Day, and the following, from the Beginning of the Morning till the 9th Hour, in an open Place, without any Covering on his Head, in his Shirt, or Girdle, wearing two red Tongues, a Span and a half long, and three Fingers broad, before on his Breast, and two hanging down between his Shoulders, and his Hands ty'd together; and to be placed also in the same Manner, and to stand before the Gates of the Church of *St. Saturninus*, the Lord's Day following, and the Lord's Day after, before the Gate of the gilded Church; and to wear always upon every outward Garment the said Tongues, and never to go in or out of his Prison without the said Tongues hanging down or appearing, and to mend them when ever they were torn, and to make new ones whenever the old ones should be worn out; and the Moment he came down from the Ladder, to be carried and shut up, without Delay, in the Prison near the Castle of *Narbonne*, there to remain for ever. The same Sentence was pronounced against *John de Salvete*, a false Witness.

Sentence is pronounced openly against false Witnesses, because they are brought into publick View, and their heinous Wickedness is declared before the People, and their Design and Villany is discovered in express Words, and the Reason given and made known to all why they are thus punished. But if such false Witnesses have done but little Mischief, they receive a lesser Punishment; for they are brought forth, wearing an infamous Mitre, with returning Hereticks, and other Penitents, at the publick Act of the Faith, or publick Procession, when their Crimes are read openly, and they themselves bastinadoed, or whipped, banished, or sent to the Gallies, or punished with some other extraordinary Punishment.

However, such false Witnesses are seldom punished in a manner proportioned to the Heinousness of their Crime, for this Reason undoubtedly, that they may not deter Persons too much from giving Evidence. The Author of the History of the Inquisition at *Goa*, gives us a memorable Instance of *Joseph Pereira de Meneles*, accused to the Inquisition as a Sodomite, by a certain Enemy of his, who pretended himself to be reconciled.

reconciled. This Person had bribed five of *Pereira's* Servants, who, all, with one Mouth, testified, that they saw their Master committing this Crime with such a Servant. *Pereira* denied the Crime, but the Servant, who was young, thro' Fear of being put to Death, confessed it, tho' never committed. *Pereira*, as a convicted Person, was condemned to be burnt. When he was brought forth in Procession at the Act of Faith, he continued to protest his Innocence. Upon which the Judges remanded him to Prison, and ordered him to be kept to the next Act of Faith, in order, if possible, to find out more exactly the Truth. In the mean while the Witnesses were often interrogated, and being each of them separately asked, Whether or no the Moon shone that Night in which they saw *Pereira* committing that detestable Crime? their Answers were found contradictory, and the Falshood of the Accusation discovered; and being put to the Question, they confessed their Crime, and declared their Master innocent. But what was the Punishment inflicted upon the Author of so villainous a Crime? Trifling, in Comparison of the Heinousness of the Offence. *Pereira's* Enemy, who had bribed his Servants, was condemned to a nine Years Banishment in *Africa*, and the suborned Witnesses to the Gallies for five. *Carena* also relates from *Diana*, that in the Inquisition in *Sicily*, a certain Regular, who was a false Witness, and who had suborned others to give false Evidence in the Holy Office, was condemned to the Gallies for ten Years, and the Women, his Accomplices, to be whipped, and to six Years Banishment.

A much more exemplary Punishment was inflicted upon a Woman, convicted of giving false Evidence, at the *Hague*, by the Command of the Court of *Holland*, An. 1561. *William Bardefius*, Prætor of *Amsterdam*, and *M. Henry Theodorus*, Consul of the same City, were at mortal Enmity with each other, upon Account of some political Differences. The Consul burnt with a Desire of Revenge, and that he might have a specious Pretence for destroying his Enemy, determined to accuse him of the Anabaptistical Heresy, at that Time universally hated for the late Disturbances which had been raised on that Account at *Munster* and *Amsterdam*. He joined with him in this Design *Florentius Egberti*, Parish-Priest of the Old Church, and Commissary of *Ruardus Tapperus*, the Inquisitor, that the Fraud being thus covered over with an Ecclesiastical Varnish, might be carried on with greater Success. They could not find out a more proper Instrument to execute this vile Design, than a certain old Woman, named *Sophy*, nick-named *Yellow Sophy*, upon account

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count of the execrable Colour of her Body, a Widow, burthened with a great many Children, who made it her Business to betray the Reformed, who held their private Meetings, not being allowed the Use of the Publick Churches, and maintained her wretched Family with the accursed Wages she earned, by informing against them. This Woman, with two others of the same Stamp, and two Men, one of which was a Notary, they prevailed with, by a little Money, and large Promises, to bear false Witness against the Prator. Their several Evidences, which were suggested to them by the Consul and the Parson, they confirmed by Oath, in which they declared that the Prator, who with his Wife, were both re-baptized, had a Meeting of the Anabaptists in his House, and that his Wife was present at the Meeting. This Evidence the Parson sent in Writing to *Ruardus Tapperus*, Inquisitor of *Lovain*. But altho' this Matter was carried on very privately, the Prator was too quick not to smell it out; and therefore, to prevent his being destroyed suddenly, and without being able to make his Defence, he goes immediately to *Brussels*, and applies himself to *Mary Queen Dowager of Hungary*, then Governess, and in whom he had a very considerable Interest, and managed his Cause with so much Dexterity and Success, that the Senator *Cornelius Monk*, and with him the Secretary of the Supreme Council of *Mechlin*, were sent to *Amsterdam* to enquire into the Affair. And they found it no difficult Matter, upon examining the Witnesses, to detect the Falshood and Perjury. But as it was necessary to proceed slowly to make a full Discovery, the Cause was committed to the Court of *Holland*, who deputed some of their Members to make Inquisition concerning it. The two Women were imprisoned at the *Hague*, and being interrogated about the Prator's Anabaptism, and the Circumstances of it, they said that he was re-baptized in a Chapel that lay near his Garden, and that they saw it thro' the Window, standing upon a Bench. Upon this, two of the Senators were sent to inspect the Place, and found the Window so very high, that tho' they stood upon the Bench, they could not reach it with their Hand, so that 'twas impossible the Women could look thro' it, to see what was transacted within: And thus the Falshood was discovered. The Authority of the City, and the Favour of the Ecclesiasticks, for some time protected the Consul and the Parson. But the Crime was too enormous to escape unpunished, and therefore both of them were apprehended by Order of the Court of *Holland*, May 3, 1557. the Parson, as he was standing before the Altar, and in so hasty a Manner, that they would not suffer him to go home, and change his Garments.

ments. After this they were both carried to the *Hague*. The Notary and the other Evidence had the same Fate. And though it was difficult to cover over a Falshood, proved by so many Persons, who agreed in their Confessions, yet it was a long while, yea, several Years before the whole was openly discovered. But at last the false Witnesses seeing no Possibility of escaping, asked Pardon for their Offence of the Royal Clemency, and publickly confessed their Falshood and Perjury. One of the Witnesses was publickly whipped; the Notary deprived of his Office, and banished. The Parson only confessed, that the Accusations he had written against the Prætor and his Wife, to *Ruardus Tapperus*, were rash, impertinent, and without due Information; and said he repented of it, and was therefore commanded to depart from *Amsterdam*, and deprived of the Office of Commissary of the Inquisition. One of the Women died in Prison; and as to *Sophy*, she had, May 3. 1561. her Tongue first cut out, was then hanged, had her Body burnt, and publickly exposed. But before she was carried to Execution, she ingenuously confessed, in the Presence of three Senators, that every Thing she had deposed and given in Evidence upon Oath, and in her Examinations in Court, against the Prætor of *Amsterdam*, was false and forged; and that she was persuaded to this Villainy by the Solicitations, Promises, and Gifts of *M. Henry Theodore*, Consul of *Amsterdam*, and of *M. Florentius*, Parson of the Old Church in that City; and being brought to the Place of Punishment, she publickly declared the same before all the Spectators. Consul *Henry*, however, denied every Thing, and because he could not be convicted by any Thing under his own Hand, he destroyed the Evidence of the Witnesses against him, by pleading that they were perjured, and by this Means escaped with his Life. He was however kept Prisoner for a long while, but at last dismissed, upon giving Security and Bail. This was the Punishment inflicted by the Secular Judge. If the Inquisitors would proceed with the same Vigour against false Witnesses, so many miserable and innocent Creatures would not be destroyed by false Informations and Evidence. But they had rather entice Persons with hope of Impunity; and when the Falshood of the Evidences appears so plain, as not to be palliated, they chuse to inflict on them a slight Punishment, rather than deter them from becoming Evidences, by a Punishment just and proportioned to their Crime.

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How the PRISONER hath a Copy of the Evidence, without the Names of the WITNESSES.

The Witnesses having been re-examined, a Copy of the Proofs brought against the Criminals, is usually given to them, that they may the sooner determine, whether they will give up the Cause, or stand Trial; and in this Case the following Things are observed in this Court. First, That the Depositions be literally given to the Criminal as made by the Witnesses, that he may fully understand what every Witness hath deposed against him; so that 'tis not sufficient to give them him in short. Secondly, The Depositions are not to be confounded or mixed, but each of them to be distinctly and separately from others given him in Writing, that the Criminal may the better understand them, and severally answer them, and thus be the better able to defend himself. Thirdly, The Names of the Witnesses are not to be given him, nor their Surnames, nor any Circumstances by which he may discover who they are, because such Discovery might occasion great Danger either to the Witnesses or the Inquisition, upon account of the Power of the Persons accused, by reason of their Family, Riches, or Malice. The Supreme Senate determined the same, with respect to the Answers of the Witnesses to the Interrogatories of the Criminals, ordering they should not be given them, if the Witnesses were in Danger of being discovered hereby. For the same Reason they add the Year and Month, but not the particular Day, when the Witnesses affirm the Crime to be committed. Thus also the Place is added in general, but not the particular House or Room where. All these Things they carefully avoid, that the Criminal may not by any Means discover who are the Witnesses or Informers against him. This they will in no wise suffer. For, as they generally say, Secrecy is the very Sinew of the Inquisition. Hence 'tis easy to infer, that many of those Interrogatories which are formed by the Advocates of the Criminals, are not allowed, because they must relate to such Circumstances, which, if known to them, would easily discover to them the Witnesses. However, the Advocates, bound to the Inquisition by Oath, must form them, that they may seem to do something for the Criminals, when in reality they do nothing, and deceive the miserable Prisoners, with the vain Hopes, what they will do in their Defence, when nothing at all is done for them; for whilst the Witnesses or Informers are concealed from them, they are deprived of the best and most necessary Means of their

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*A Heretick Convict before Judgment
Habited in the San-benito.*

their Defence. However, this is strictly prohibited by several Edicts of the Popes, and Instructions of the Inquisitors.

After this the Evidence of the Witnesses must be shewn, and a Copy of it granted to the Criminal, those Circumstances only omitted, by which he might easily understand who they are that have given Evidence against him. Hence it is that they don't let him know either the Hour or Day in which the Witnesses say the Crimes were committed, unless possibly the Criminal should demand it to make his Defence. Likewise, another Copy of the Depositions must be written out by the Secretaries, and examined and corrected by the Inquisitors, and another Copy be inserted in the Acts of the Process. Besides, the Copy of the Evidence must be given to the Criminal in such a Manner, as that he may plainly understand, whether the Witnesses depose of what they have heard from others, or of those Things they have seen themselves.

In this Publication of the Evidence, the Names of the Witnesses must not be discovered to the Criminal.

Hence it is, that in the Crime of Heresy, the Criminal must not be cited, when the Evidence is ratified, lest he should know the Witnesses, even altho' in all other Crimes the Criminals are to be cited to see the Witnesses. Thus also, in all other Crimes the Names of the Witnesses are given to the Criminals, that they may refute them, and shew their own Innocence; and this ought always to be done, even altho' the Process be carried on by Inquisition, lest by concealing the Names, Occasion should be given to wicked Persons of defaming others, and by denying them the Means of their Defence, of giving false Evidence against them: For no Man ought to be denied the Means of defending himself. This ought more especially to take Place in Inquisitions and Visitations carried on against Judges and their Ministers. For they are placed as a Mark to be shot at, and are not capable of pleasing all, because they are bound by Office daily to reprimand many engaged in Law-Suits, to imprison them, banish them, fine, condemn, and sometimes punish, them with Death.

But if any one should presume, without a manifest Necessity, and unless there is no manner of Danger, rashly to discover the Names of the Witnesses, Accusers, or Informers, he would act, according to Pegna's Mind, very imprudently, and, for what he knows, fall into mortal Sin; because he would act against so many Decrees of Popes, and against the received Custom of the Holy Office, which, though not sup-

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ported by any Law; yet being a commendable, approved, and legally prescribed Custom, hath the Force of a Law.

And tho' the Criminal insists, and demands, that he be allowed to make his Defence, according to the Course of the Law, and by Consequence that the Names of the Witnesses be shewn him as well as their Depositions, he is not to be heard. Those who are called new Christians in *Spain*, never could obtain it, tho' they used their utmost Endeavours for it. *Ludovicus a Paramo* tells us, that in the Reign of *Charles*, who succeeded his Grandfather *Ferdinand*, the new Converts offered 800000 Pieces of Gold to the King, if he would order the Witnesses to be made known in the Tribunal of the Inquisition. And when the young King, who was but eighteen Years old, was greatly tempted by so vast a Sum of Money, Cardinal *Ximenes*, Inquisitor-General, by setting before him the great Danger of such Witnesses, and the Damage that would hereby accrue to the Church, wrought upon him to despise that Offer.

But when the Person accused cannot particularly defend himself upon account of the suppressing the Names of the Witnesses, but can only conjecture in general, not being able to make any tolerable Guess, 'tis recommended to the Prudence of the Inquisitor, to take such proper Measures, as that he may know, whether the said Deponents and Witnesses are the mortal Enemies of the Persons accused or not.

Eymerick, in the third Part of his Directory of the Inquisitors, describes to us six Ways of giving a Copy of the Process to Persons accused of Heresy, suppressing the Names of the Accusers, by which 'tis evident, that this one Thing is determined by the Inquisitors, viz. to condemn the Prisoners as guilty, right or wrong, by using various Arts and Impostures, and especially by denying them the principal Means of their Defence.

The first Method is, to exhibit the Names of the Informers, not in the Copy of the Process, but in a separate Paper, nor in the Order in which they depose; but in such a Manner, as that he who is the first Informer in the Copy, shall be the sixth or seventh in the separate Paper; that by thus changing the Order of the Names, the Person accused may not know what every one deposes.

The second is, to give a Copy of the Process to the Person accused, and in another Paper the Names of the Deponents, mixing with them the Names of some other Persons, who have never deposed against him in that Affair, that so he may object against this and the other, and yet never know who hath deposed against him. But these Ways are greatly disapproved

disapproved of, and but seldom practised, because they can't be of much Service to him that is accused, because he can't hereby know who deposed this and the other Thing against him; and may be greatly hurtful to the Accusers, because the Paper itself makes it certain that the Criminal is accused by some one of them, and being uncertain by whom, he may form a Resolution against those who have never deposed against him, or whose Depositions against him are true, or who have deposed in his Favour. And thus he may lay Snares for them, and bring them into very great Danger, which they carefully provide against.

The third Way is, that the Person accused is interrogated when he is examined, at the End of his Confession, and before the Copy of the Process is granted him, whether he remembers that he hath any mortal Enemies, who, laying aside the Fear of God, may charge him falsely with heretical Pravity; so that without farther thinking, and before he sees the Depositions of the Witnesses, he may answer, either that he doth not remember that he hath any such Enemies, or, that if he doth call any such to mind, he may name them as they occur to him.

If he says he hath no such Enemies, the Inquisitor may charge him to think well upon the Matter, and allow him a convenient Space of Time to consider of it, and to write down their Names, if he remembers any, and thus described, to exhibit them to the Judge, with the Notary and Witnesses. The Judge must cause all these Things to be inserted in the Acts, *viz.* that such a one, &c. appeared such a Day, &c. before the Inquisitor, &c. and gave in a certain written Paper, containing as underwritten, which must be inserted at length. After which, the Judge gives him his Oath, and asks him, Whether that be his Writing, and written with his own Hand? Likewise, Whether he affirms, that all and singular the Matters contained in it, are true? Likewise, Whether all and singular the Persons, there described by Name, are his mortal Enemies? Likewise, Concerning the Time, Rise, Cause, or Occasion of the Enmity? Likewise, Whether besides the before-named, he hath any other Enemies, and whom, and what the Cause and Time of the Enmity? Again, Whether after such Enmity contracted or arisen, he hath ever made use of them as Evidences for him in any Civil or Criminal Cause? To these other Interrogatories may be added at Pleasure, as the prudent Judge shall think proper, from the Answers given to the Premises, and other reasonable Circumstances; which being well considered, and diligently examined, it will be easy to discover whether the Enmity pretended, be real or not. But even here they are particu-

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larly cautious, that whilst they are thinking of Methods to find out the Enmity of the Witnesses, the Criminals may not come to the Knowledge of them. These Things almost agree with the Words of the Bishop of *Albano*, in which he prescribes what the Inquisitors must do in such a Case. Moreover, let the Inquisitors enquire from the Person against whom they are to proceed, whether he hath any mortal Enemies, or certainly suspected to be so, who, thro' Hatred, might swear against him, and let him put down their Names in Writing, whom he says he hath Reason legally to suspect; and let them proceed and receive other Witnesses against him, and yet nevertheless they may receive such suspected Witnesses if they judge it proper. And a little after he adds, *And altho' the Witnesses, who are said to be suspected, or found to be Enemies, are not to be believed, unless there be any Thing that may legally support their Evidence.*

The fourth is, that the Person accused, in the End of his Confession, before he is allowed to make his Defence, should be interrogated concerning those Witnesses who have deposed the most heinous Things against him, as tho' they were accused themselves after this Manner: Do you know Such-a-one? naming one of the most considerable Witnesses. If he saith he doth not, he can't reject him in his Defence as a mortal Enemy, having declared upon Oath he did not know him. If he answers, that he doth know him, he is interrogated, Whether he knows, or hath heard, that he hath said or done any Thing against the Faith? Then he is asked, Whether he is his Friend or Enemy? and presuming that he will answer, His Friend; that his Evidence for him may be admitted, he can't, after he hath said so, reject him as a mortal Enemy. *Eymerick* is for using these two Methods but seldom, because, tho' not at all dangerous to the Deponents, they are prejudicial to the Accused. But yet he approves, that the latter should be used against cavilling and cunning Persons, and says, that he himself hath sometimes, tho' seldom, taken this Method against such Persons, whereby, as the Apostle says, *being cunning, he caught them by Guile.*

Camillus Campegius adds, If he answers, that he doth not know that he hath said any Thing against the Faith, the Inquisitor must not omit to ask him, Whether he be his Friend or Enemy? If he answers, his Friend, but that he would not be silent even on this Account, but would come in Evidence against him, if he knew that he had offended against the Faith, he can't object against him any more in this Cause as a mortal Enemy. For this is to be remarked, that he who once allows a Witness, can never after reject him.

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The same *Campegius* adds another Way, *viz.* the Inquisitor asks the accused Person, in his first Examination, What he thinks to be the Reason of his being apprehended or imprisoned? Likewise, Who he suspects to be his Accusers? And if he particularly names any, he is asked, Why he suspects them rather than others? To which Question perhaps he will answer, by assigning, as the Reason or Cause, Hatred, a Law-Suit, or Quarrel, or some such like Matter. After this the Inquisitor asks him again, Whether he hath any other Enemies, and who they are, and of the Time, and Occasion of their Enmity? as above. He asks him again, Who were present, when the Persons he rejects as Enemies, assaulted or wounded him? and the like; and by whom he can be informed of the Reality of such mortal Enmity? After this the Inquisitor diligently considers his Answers and Assertions, and receives Informations from religious Persons concerning the Credit of the Witnesses, in order to find out the Truth; and if he finds that the Witnesses are justly charged with mortal Enmity, he must consult the Laws, Doctors, and Counsellors, and then act as he sees fit.

The fifth is, to give the Person accused a Copy of the Process, suppressing the Names of the Deponents, so that when he sees the Depositions, he may conjecture who it was that deposed so and so against him. On this sometimes he names several as his mortal Enemies, assigning the Reasons of it, and producing his Witnesses. If he guesses at any, the Inquisitor enquires the Causes of the Enmity; if they are not sufficient, he rejects them; if they are, he examines the Witnesses privately; who, upon not giving legal Proof, are rejected. This is performed with the Advice of the Learned. And this Method is generally observed.

The sixth is, that when the Person accused says, upon giving him a Copy of the Process, that he hath many mortal Enemies, names them, and assigns the Reasons of such Enmity, the Diocesan and Inquisitor hold a Council of Divines and Lawyers, cause the whole Process to be read over by the Notary, discover to them the Names of the Witnesses and Deponents, and oblige them by Oath, or under Penalty of Excommunication, not only to give sound Advice, but also to observe perfect Secrecy. After this is debated amongst them, Whether they fully know the Person accused, and the Witnesses, and whether there is mortal Enmity between them? If they fully know them, their Counsel and Advice is stood to, and whosoever are adjudged by them to be mortal Enemies, are rejected from giving Evidence; and those who are adjudged not to be so, are admitted. If the Counsellors do not fully know the Person

Person accused and the Witnesses, two, three, or four Persons of Reputation, well acquainted with the Criminal, are chosen by their Advice, out of the City, where the accused Person dwelt. One of these at least, or two, must be Parish-Priests, and another, if it can conveniently be, a Religious, and the others Layicks, reputable Men, zealous for the Truth. These are secretly called together by the Bishop and Inquisitor, and being obliged to speak the Truth by Oath, or under Penalty of Excommunication, are interrogated, concerning the mortal Enmity or Friendship of the Person accused, and the Witnesses. The Bishop and Inquisitor entirely acquiesce in their Judgment, so that after they have well and carefully considered the Matter amongst themselves, they reject from being Evidences such as these Persons say and prove to be the Accused's mortal Enemies, and admit these which they say are not. This is the usual Method, and seems to agree with the Determination of the Council of *Biterre*, cap. 10. *But let Care be taken of this, as the Apostolick See hath carefully determined, that the Names of the Witnesses be not discovered by any Act or Word. But if the Person, under Inquisition, insists on it, and says that possibly he may have Enemies, or that some Persons have conspired against him, let the Names of such Enemies or Conspirators, and the Occasion and Truth of such Enmities and Conspiracies, be so drawn out of him, as that the Safety of the Witnesses, and the Persons also to be convicted, may be provided for.*

And in order the more effectually to prevent all Danger to the Witnesses, which may arise from their being known, *Camillus Campegius* advises, not only to suppress their Names, but even all Circumstances that may tend to point out or discover them. For he says he hath oftentimes seen that the granting such a Copy hath given Rise to Enmities, Hatreds, Wounds, and Death; and sometimes, that those under Inquisition, falsely imagining a Person to have deposed against them, who hath not, nor said or did any Thing against them, have notwithstanding, thro' such a false Persuasion, contrived not only greatly to injure him, but even his Destruction. Thus it happened at *Ferrara*, and at other Places, as he says he was credibly informed. And therefore he advises the Inquisitors, to proceed very cautiously in this Affair, and so to defend the Catholick Faith, as to secure the Lives of the Witnesses. For he says there are few to be found, who are willing to inform or depose in this Cause of Hereticks, and that if the Safety of the Witnesses should be endangered by the World, he imagines there would not be so much as a single Informer.

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When any just Exceptions are objected against the Witnesses, the Criminal is admitted to prove them. But his Witnesses are so cautiously examined, as if possible to prevent their knowing who the Witnesses against the Criminal are. And, in order to this, they are interrogated not only concerning the Enmity or Conspiracy of the real Witnesses against the Criminal, but of others also who are not Evidences against him.

Since therefore they are so exceeding cautious not to discover by any Means the Informers or Witnesses to the Criminals, 'tis evident they are not brought before, or confronted with one another, that they may be heard against, and what they say and answer be opposed to, each other. *Carena* teaches us, that Persons are seldom confronted in the Holy Office; and that 'tis never done in the Supreme Tribunal of the City, unless the Cause be fully known, and the Cardinals Supreme Inquisitors interpose by their Decree, who usually determine, whether or no any Danger may accrue to the Witnesses and Criminal, by being confronted. But because sometimes it happens in the Holy Office, that the Criminal must necessarily be seen and pointed out by the Witnesses, this is done not by openly confronting them, but by making the Witnesses look through the Crevices of the Door of some fastened Room, where the Criminal is put, in Company of some other Persons alike in their Dress, Stature, and Face. This *Carena* says was practised formerly in the Inquisition at *Cremona*, according to the Command of the Sacred Congregation, where a certain Regular, who had contracted Matrimony, was thus viewed and pointed out, notwithstanding his Confession, that the Sentence of the Nullity of his Marriage might be more safely pronounced.

CHAP. XVI.

How the Articles and Witnesses for the CRIMINAL are examined.

WHEN the Criminal hath received a Copy of the Evidence and Proofs against him, if he insists on his Defence, a certain Term is granted him to exhibit the Articles by which he would prove his Innocence. This Term is not fixed to any precise Day, but left to the Pleasure of the Judge, who can grant him more or fewer Days, as he thinks fit. And because the Defence of the Criminal consists of three

Parts,

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Parts, *viz.* in denying the Fact, or disabling the Witnesses, or proving his good Life and Behaviour, his being a good Christian, or Catholick; the Articles to be proved are disposed into Method, according to the aforesaid Division. But yet the prudent and Catholick Procurator or Advocate must consider his Oath, and both insert in the Articles the Things which he believes to be true, just as they have been suggested to him by the Criminal he is to defend, and continually admonish him simply to confess the Truth.

At the End of the Articles produced by the Criminal, the Names of the Witnesses by which he would prove his Innocence, are put down, and the particular Article upon which he would have each Witness examined, specified. For as it can't easily happen that any single Witness should know all the Matters contained in all the Articles, therefore to prevent the Inquisitor, or he to whom the Inquisitor commits the Examination, the Trouble of being forced to guess who knows the Contents of such and such an Article, or of examining all the Witnesses upon every Article, 'tis particularly shewn, that such a Witness must be examined upon such and such an Article, and so of the rest. By some he endeavours to prove, that the Person who he imagines hath deposed against him, is his mortal Enemy; by others, that he hath lived a good Life; and so on.

If after the Articles have been produced and admitted, the Criminal will add one or more additional Articles to them, the Inquisitor may admit them as well as the first, because 'tis not expressly prohibited by Law. In forming these Articles, a skilful Advocate or Procurator must consider those Things, which may either remove or extenuate the Crime, *i. e.* prove the Falshood of the Accusation, or extenuate the Guilt by proper Circumstances; as, whether the Person was mad or drunk when he said it. Of which more hereafter.

After the Criminal hath once produced and named his Witnesses, the Inquisitor may, if he sees fit, and knows there is no Fraud or Deceit, allow the Criminal to name others afterwards, and admit them.

When the Witnesses thus produced by the Criminal have deposed before the Inquisitor, a Copy of their Depositions is given to the Procurator of the Exchequer, who, in his Turn, exhibits his Interrogatories upon them, that the Witnesses brought by the Prisoner in his Defence, may be examined upon them. And here, just as the Criminal's Advocate doth, he asks abundance of Questions about the Witness's Person, Condition of Life, and whether they know the Criminal, or are any ways a-kin

to him? and the like. Besides this, he is asked, How he came to put himself upon this present Examination? Whether any body desired him to do it? And who? With what Words? And what he the said Witness answered? Whether the Articles upon which he was to be examined, were shewn him? Or whether he hath been otherwise instructed what to depose? Whether any Thing hath been given, promised, or forgiven him, and what? Whether he expects any Advantage by his present Deposition, or by the Delivery of the Prisoner out of the Prison of the Holy Office, and what? To these he adds others suitable to the Affair; and thus running over every Article produced by the Criminal, he demands that his Witnesses be interrogated upon each of them.

The Procurator of the Exchequer of the Supreme Senate of the general *Roman* Inquisition, usually demands at the End of his Interrogatories, that the Inquisitor, who is to examine the Witnesses, will form other proper Interrogatories, as the Matter shall require, and the Answers of the Witnesses shall make necessary. For it often happens, that as the Witnesses are examining, such Things are said by them, as give Occasion to new Interrogatories, so necessary and suitable to the Case as tends very much to discover the Truth.

'Tis sometimes the Custom, as *Pegna* tells us, for the Procurator of the Exchequer of the Holy Inquisition, at the End of his Interrogatories, to put such an Interrogatory as this against a Criminal to his Witness. Whether he knows, or hath heard it said, that the said *N.* in the said City of *N.* was accounted as one suspected of Heresy, and a Man of an ill Character, Opinion, and Fame, in Matters relating to the Holy Catholick Faith? If he answers Yes, he is asked how he came to know this, and must name the Errors and Heresies, who were Witnesses with him, at what Time, what the particular Place; all which he must particularly relate. If he answers No, he is interrogated, How 'tis possible that the said *N.* should be accounted as one suspected of Heresy, and otherwise of evil Life, Condition, and Fame, in Matters appertaining to the Holy Catholick Faith, and yet he the said Witness should be ignorant of it? *Pegna* adds, that the second Part of this Interrogatory seems to him very dangerous, and proper only to invalidate the Evidence of the Witness for the Criminal. For if such Witness should answer, 'tis possible that *N.* may have been suspected of Heresy, and yet that he might be ignorant of it, his Evidence would be weakened. And altho' some Doctors greatly admire such an Interrogatory, and say that 'tis a most excellent and admirable one, and what will invalidate the Depositions of almost all Witnesses for the Criminal, yet he is rather of Opinion, that

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if such an Interrogatory should be put by the Procurator of the Exchequer, it ought not to be allowed by the Inquisitor; lest if an ignorant Witness, which almost all the common and vulgar People are, should answer, it was possible, and really is so, the same Procurator of the Exchequer, after the Process is ended, and the Proofs examined, should by such a Caution shake the Credit of all the Proofs urged in Behalf of the Criminals.

If there is any Reason to doubt of the Faithfulness, Constancy, or Silence of any one of the Witnesses, *viz.* that, if dismissed after his Examination was ended, he would confer with any other Witnesses to be examined, he is usually kept in the Holy Office till after their Examination. But if he be an honest Man, of good Condition and Reputation, and in no Danger of discovering any Thing he hath acknowledged, he is immediately dismissed after his Examination.

No Copy of the Depositions is or ought to be given before the Examination is finished. But if after the Examination of some, the Criminal declares that he renounces any farther Examination, a Copy may be given him.

Altho', after the Publication of the Evidence, Witnesses are not to be admitted upon the same Articles, or others contrary to them, yet in the Cause of Heresy they are always to be allowed, whether it be for or against the Criminal; because, as this Publication is done in private, there can be no Suspicion of the Witnesses being corrupted in these Causes.

It often happens that the Witnesses to be re-produced, or otherwise examined, are absent from the Place in which the Action is carried on against the Criminal, and therefore there must be a Commission to examine them, or their Examination must be committed to some proper Person. And altho' in Criminal Causes such Commission for examining distant Persons is not allowed, the Judge himself being to interrogate the Witnesses, and to consider with what Steadiness, Trembling, or Countenance they speak, yet such Commission is granted in the Crime of Heresy, and especially when the Witnesses are in remote Places, and in other Diocesses, and can't come to the Inquisitors without great Expence.

With these Letters of Commission there must also be sent to the Judge or Inquisitor, to whom the Examination of Witnesses in Behalf of the Criminal is committed, Articles and Interrogatories, upon which the said Witnesses must be examined, in the same Manner as if they were examined

amined by the Inquisitor before whom the Cause is tried. But the Inquisitor or Bishop, who delegates the Examination to another, must not allow the Party to give Articles for the Witnesses, before the Judge to whom they direct the Examination, but they are to be given to the Judge of the Cause. When the Examination is ended, the Judge, who receives these remissory Letters, must take Care to transmit to the Inquisitor who delegates him, an authentick Copy of the original Process, faithfully extracted, compared with the Original, and subscribed by the Judge and Notary. But if it can be done without Danger of losing it, the original Copy itself must be sent to him, and the delegated Judge keep the authentick Copy by him.

If whilst the Cause is depending there arise new Proofs against the Criminal, or he commits a new Offence, or if there appears any Thing favourable in his Behalf; if, for Instance, the Informer or Witness, upon recollecting himself, comes to depose any Circumstance that may extenuate the Crime, or if any other comes to discover any Thing that may make the Criminal's Innocence appear, they are to be received. This is especially to be observed, in case any Discovery can be made of a Conspiracy against the Criminal, or of the Subornation of the Witness or Witnesses to give Evidence against him.

CHAP. XVII.

Of the Defence of the CRIMINALS.

AFTER the Parties have prepared their Proofs, *Pegna* says, a Copy of the defensive Process must be delivered to the Criminal. But *Carena* observes, that for the Space of twenty Years, during which he acted in the Inquisition at *Cremona*, he never saw a Copy of the defensive Process given to the Criminals in that Court, and he advises all the Inquisitors, to act in the same Manner; because sometimes the Criminal produces in his Defence Witnesses of a tender Conscience, who rather make against him, and for this Reason Inconveniences may arise from the Grant of this Process. And this, he says, is the Practice of the *Spanish* Inquisition. But whatever the Copy is which is granted him, he hath a Term fixed him for making his Defence, within which, if he

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if such an Interrogatory should be put by the Procurator of the Exchequer, it ought not to be allowed by the Inquisitor; lest if an ignorant Witness, which almost all the common and vulgar People are, should answer, it was possible, and really is so, the same Procurator of the Exchequer, after the Process is ended, and the Proofs examined, should by such a Caution shake the Credit of all the Proofs urged in Behalf of the Criminals.

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With these Letters of Commission there must also be sent to the Judge or Inquisitor, to whom the Examination of Witnesses in Behalf of the Criminal is committed, Articles and Interrogatories, upon which the said Witnesses must be examined, in the same Manner as if they were examined

amined by the Inquisitor before whom the Cause is tried. But the Inquisitor or Bishop, who delegates the Examination to another, must not allow the Party to give Articles for the Witnesses, before the Judge to whom they direct the Examination, but they are to be given to the Judge of the Cause. When the Examination is ended, the Judge, who receives these remissory Letters, must take Care to transmit to the Inquisitor who delegates him, an authentick Copy of the original Process, faithfully extracted, compared with the Original, and subscribed by the Judge and Notary. But if it can be done without Danger of losing it, the original Copy itself must be sent to him, and the delegated Judge keep the authentick Copy by him.

If whilst the Cause is depending there arise new Proofs against the Criminal, or he commits a new Offence, or if there appears any Thing favourable in his Behalf; if, for Instance, the Informer or Witness, upon recollecting himself, comes to depose any Circumstance that may extenuate the Crime, or if any other comes to discover any Thing that may make the Criminal's Innocence appear, they are to be received. This is especially to be observed, in case any Discovery can be made of a Conspiracy against the Criminal, or of the Subornation of the Witness or Witnesses to give Evidence against him.

C H A P. XVII.

Of the Defence of the CRIMINALS.

AFTER the Parties have prepared their Proofs, *Pegna* says, a Copy of the defensive Process must be delivered to the Criminal. But *Carena* observes, that for the Space of twenty Years, during which he acted in the Inquisition at *Cremona*, he never saw a Copy of the defensive Process given to the Criminals in that Court, and he advises all the Inquisitors, to act in the same Manner; because sometimes the Criminal produces in his Defence Witnesses of a tender Conscience, who rather make against him, and for this Reason Inconveniences may arise from the Grant of this Process. And this, he says, is the Practice of the *Spanish* Inquisition. But whatever the Copy is which is granted him, he hath a Term fixed him for making his Defence, within which, if he

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thinks fit, he gives in his Informations as to Fact and Law, to prove his Innocence.

Obstinate Hereticks are denied a Defence; but Criminals, not yet convicted, are allowed to make the best they can. The first and principal Defence of those who are innocent, is to deny the Crimes which are falsely objected to them. Such a one must constantly persist in his Denial of them, that he may not unjustly condemn, and give false Evidence against himself. Such a one, however, can't prove directly by Witnesses that he did not say or do such a Thing; but when the Place and Time of the Crime, said to be committed, is assigned, he may prove that he was not then and there present, and that therefore he did not say or do any Thing of which he is accused. And when he hath proved this by several reputable Witnesses, he is to be absolved.

Another kind of Defence is, if he can refute the Witnesses, i. e. if he can prove they are his Enemies, or suborned with Money by his Enemies, or have conspired against him.

As Facts are more entertaining, and full as instructive as the most Learned Discourses on Points like these, we have chosen to insert here a very remarkable Instance of the Equity of this Tribunal, copied from the Work of an Author who was himself a Secretary of the Holy Office, and abandoned it merely to satisfy his Conscience; as we shall hereafter acquaint our Readers, making use in the mean time of his Narration.

Alfonso Nobre, born and then living in *Villa Vizosa*, one of the best and noblest Families in that Town; where he served several Times in the Manner of a Sheriff, &c. which Places are only bestowed in *Portugal* on the noblest Persons, and such whose Blood is wholly free from the least Tincture of Judaism, was taken up and carried to the Inquisition of *Coinbra*, upon Information that he was not a Christian: Some time after, they also took up and brought to the same Place a Son and Daughter, which were all the Children he had. These being very young, in a very little time after their being brought thither, either by the ill Advice of their Fellow-Prisoners, or the Hardships they made them to undergo, confessed, and innocently declared against their Father, who came out at the next Auto, with Sentence of being burnt for denying what was deposed against him; and he was accordingly executed. At the Auto his Son came to him to beg his Pardon and Blessing; but the Father answered him, I forgive you both, tho' you have brought me to this shameful Death; hoping that God and his Son Jesus Christ will also forgive me all my Sins; but my Blessing I cannot give you: For he cannot be my
Son

Son, who confesses what he never did, and who being, and having always been a Catholick Christian, basely denies his Saviour, and saith, that he was a Jew. Go, said he, unnatural Son; I pray God to forgive you. And after this, being carried to the Place of Execution, he behaved himself with such Courage and Firmness in the Faith of Christ, and made such pious Speeches, and devout Prayers, that it struck all the Auditors with Terror and Admiration. A great many such Cases might be here set down; but being much to the same Purpose, I omit them, that I may not be guilty of too many Repetitions.

The Children of this and of another Prisoner, who were both delivered up to Justice for denying their Charge, and both Persons of the best Families, and of great Authority, as aforesaid, swore against them; as did likewise *Jacome de Melto's* Wife, whose Name was *Dona Beatris de Carwalla*, of a noble Family of *Elvas*, who they also said was descended of Jewish Parents. Let any one look into the Process of this Woman and her Children, and see how they agree with one another, or with the Witnesses that swore against them, and upon whose Declaration they were taken up, and they'll find that none of them agreed in any one Thing, which is very strange. For if they were such true Penitents as not to stick, the one to declare against her Husband, and the others against their Father, and thereby bring him to be burnt, why should they not agree in the same Facts, and Acts of *Judaism*, and with the same Circumstances deposed by the Witnesses who were the Cause of their being taken up. In fine, all their Depositions will be found so various, that its an easy Matter to guess at their being false, and invented Stories; for as already said, if they were real and true, it would be no hard Matter for the Confessions to agree with the Depositions.

The same will be found in the Processes of the Son and Daughter of *Alfonso Nobre*, and of those that swore against them, and their Father. We shall hereafter give an Example of the Persons of low Birth; because People may not imagine, that the two Gentlemen before mentioned thro' a Punctilio of Honour chose rather to die, than to confess what was sworn against them. If the Criminal confesses his Offence, the Cause is finished. If he confesses it, but with the Addition of some Circumstance, that either takes away, or lessens the Crime, the Procurator of the Exchequer receives the Confession of the Offence, and puts it upon him to prove the Circumstance added. Now there are various Circumstances to be urged in Abatement, which the Advocates use in defending Criminals. As if

Herefy

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Heresy was spoken by a Madman, an Infant, or a decrepit old Man, except such aged Person hath his Judgment entire. Likewise, if it be pronounced in a Dream, or by one so drunk as to be quite out of his Senses; or if by one, who, without any ill Design, relates the Heresies of others; or who, by a Slip of his Tongue, drops any Thing heretical, and immediately retracts it. Or if any one errs against any Article of the Catholick Faith without Obstinacy, which he is not obliged explicitly to know, and especially if drawn into this Error by one whom he was obliged to believe. Very great Simplicity also may excuse; also a Joke or Jest, if thoughtlessly pronounced, and in haste, upon a particular Occasion, and without Deliberation, may sometimes excuse from Heresy, tho' such Persons may be punished as rash and evil Speakers. Add to this, any one's saying or doing any Thing heretical, thro' Fear of Death or Tortures. Such a one, indeed, grievously offends, but yet is not an Heretick. For, as *Brunus* says, as a forced Confession of the true Faith doth not make a Catholick, so neither is the asserting a forced Error to be imputed for Heresy. Finally, such Things as are uttered thro' any vehement Commotion of Mind, such as Love, Jealousy, Anger, sudden Grief, and the like. There is also a kind of Defence taken from the Command of a Superior. As when a Servant by his Master's Command breaks Images, or commits any such Thing, he is to be more gently punished. *Brunus* adds, that an Heretick may object, that the Cause hath been already judged, and the Affair determined, which is allowed, whether Cognisance hath been taken of the Crime either by Accusation or Inquisition.

There is also another kind of Defence, viz. when any Person confesses some heretical Word, or Fact, but denies the evil Intention, and thus shews himself to be clear of Heresy, because Heresy consists properly in the Mind. When this Defence is urged, the Criminals are tortured to discover their Intention, and to make them fully and entirely confess. But this they limit in certain Cases, and don't proceed to the Torture to find out the Intention, if there be no considerable Proof of the Crime besides the Criminal's Confession, and when there is just Ground to conclude by the Circumstances of the Fact and other Presumptions, that the Criminal offended with a quite different View, and not thro' an heretical Mind. *Carera* relates a memorable Instance of this, decided before the Tribunal of the Holy Office at *Granada*, by *Francis Marin de Rodezno*, Inquisitor at *Granada*.

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In the Year 1640, *April 5*, on *Thursday* in the Week before *Easter*, there was a Writing fixed upon the Gates of the Senate House at *Granada*. In this Paper the Law of *Moses* was greatly extolled, and the Sect of *Calvin* commended, and the most Holy Faith of Christ accursed with the most terrible Imprecations. The Virginity and Chastity of the Mother of God was denied in so very obscene a Manner, as would scarce become a common Whore prostituting herself in a Bawdy House. He also, with a Shew of Compassion, advised all Persons, that they would not thoughtlessly suffer themselves to be drawn away by a false Religion. And finally, he threatened, that he would cause to be destroyed all those Regards of Worship and Piety, which the City of *Granada* pay'd to a Marble Image of the Virgin, erected as a Token of Victory, and placed in an open Field over-against the Gate of *Elvira*, at the Entrance into the City, and commonly called, *Our Lady of Triumph*. This Writing was seen by two Men after the Dead of Night was over, by Twilight; and as the Paper and Character was very extraordinary, it easily excited their Curiosity, and altho' they were ignorant of the Contents, they took it down from the Gates. But after they had read it, and perceived the Wickedness and Blasphemy of it, they carried it the next Day to the Sacred Tribunal of the Inquisition. The Report of this Wickedness immediately took Air, and the Enormity and Greatness of the Crime alarmed the whole City of *Granada*.

One Friar *Francis Alexander* was appointed by the Senate of *Granada*, to take Care of the Worship of the said *Lady of Triumph*; who, upon this Account, was, after the *Spanish* Custom, called *The Hermit*, and whose Habit was very agreeable to his Office. He pretended to his Neighbours, that he was injured above all others by this Offence done against the Mother of God, and in his private Conversation in the City oftentimes inveighed against the Heinousness of the Crime, and at last deposed in a legal Manner what he had Reason to suspect, and what he himself had observed in that sacred Night. But as nothing came of the most diligent Inquisitions that had been made into the Affair, there arose at last great Suspicions and Presumptions against the Hermit himself, after his own Depositions had been privately, and at Leisure considered. His Depositions were found inconsistent and contradictory, tho' he made them voluntarily and freely, without any one's asking or calling upon him; and in some of them he was openly convicted of Falshood. Several times he repeated several of the very Expressions of the said Paper, so expressly and particularly, as could not possibly be done by any one who was

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was not the Author of it, or at least privy to it; whereas he himself confessed, after he had been informed against before the Tribunal, that he had neither seen nor read it. And when a certain Person said before him, that it was commonly reported thro' the City that he was the Author of the Paper, when the Suspicion was insinuated, he immediately turned pale, and dextrously shifted the Discourse to something else, without mentioning a Word of the Affair, tho' his Countenance was observed to fall. The Circumstances of the Person added to the Suspicion, as he was a Man of an ill Life and Behaviour, remarkable for Hypocrisy, and guilty of many Crimes. And finally, the common People were universally persuaded, and all affirmed, as with one Voice, that no one else could be guilty of so heinous a Crime.

Upon this the Hermit was ordered to Prison, and after three Admonitions made on three several Days, and upon comparing other Writings of his with the Letters of this Paper, finding that they were exactly similar and perfectly alike, and that therefore the Hand and Author must be the same, he was cited by the Fiscal of the Inquisition, and arraigned for the Crime, and immediately ingenuously confessed it, and began to give an Account of the past Course and Manner of his Life; saying, that he was a Religious of a certain very venerable Religion and Fraternity, a Lay-Brother, and Professed; but that on the Account of certain Differences and Quarrels therein he fled, and had forsaken his Religion several Years. But inasmuch as he had not lost his Regard to Piety and Religion, tho' he had changed his Habit, he travelled to *Jerusalem*, and there visited the Holy Places, where, thro' a peculiar strong Affection to the Mother of God, he had received certain Marks on his Arms as a constant Monument of his Devotion. From *Jerusalem* he came to the *Lower Pannonia*, and in the City of *Vienna* built and dedicated a Temple to *Our Lady of Conception*. After this he returned back to the City of *Granada*, where he had consecrated his Life to *Our Lady of Triumph*, and the Care of her Worship. And that when he had found that there was nothing done towards finishing her Temple, and that the Devotion of the Faithful grew cool, he was excited by these Motives to endeavour to encrease the Worship and Veneration of that Sacred Place, and that with this View he fixed up the Paper filled with Reproaches and outrageous Affronts against the Mother of God, and particularly directed against *Our Lady of Triumph*. And that he might prevent himself from being suspected of the Crime, and throw it upon one of the *Jewish Race*, who are more liable to Suspicion, he wrote in the Paper an high Encor-
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mium of the Law of *Moses*, and an Abjuration of Christianity. And finally, that no *Portuguese* might be thought guilty of this Wickedness, and that that Nation might not come hereby into Discredit, he added a very great Commendation of the *Calvinistick* Sect; to which, as he now thinks, he was moved by the Instigation of the Devil. For he thought that by this Means he should more easily bring the People into a more fervent Devotion, in order to expiate the Wickedness of that Paper, and persuade them to celebrate the most venerable, pompous, and magnificent Ceremonies in honour of the Virgin, to finish her Church, and to encrease the Veneration and Worship paid her, and finally to render that Sacred Place famous for its being resorted to by great Multitudes from that City and the neighbouring Towns. And therefore, that he was so far from fixing up the aforesaid Paper out of an heretical Mind, and from believing the Errors contained in it, that he did it with a quite contrary Design, and always intended hereby to encrease the Honour and Worship of the Virgin, as became a Man faithful to the Mother of God, a Christian, and also a Catholick, and one born of pious and Catholick Parents.

When they had heard his Confession, and examined and finished his Cause, they did not think proper to put him to the Torture, for discovering his Companions or Accomplices, and whether or no he acted with an heretical Intention; because many Circumstances and Presumptions concurred, which not only gave Reason to think, but notoriously proved, that the Criminal had no heretical Intention, but that his only Design was to cause greater Veneration to be paid to *Our Lady of Triumph*, that he himself might be held in greater Esteem, and so obtain more liberal Alms. Nor did they think proper to deliver him over to the Secular Arm, because he had fixed up the Paper to bring the greater Honour to the Virgin, and because as soon as ever his Accusation was read over, he ingenuously confess'd his Crime; and finally, because he had implored Mercy with many Tears and Signs of Repentance, and, during the Time of his Imprisonment, had undergone many voluntary Penances, macerating his Body by Whipping, Fastings, and other Chastisements, and was a Monk of a most venerable Religion, which had produced many Saints, whose Merits were sufficient to supply and excuse the Errors of others, at least so far as to save them from Punishment. It was therefore decreed, that the Criminal should come forth at a Publick Act of the Faith, if there was any one near at hand; or if not, that he should appear in some publick Church with the Marks of a Blasphemer, with his

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Tongue in a Gag, that he should, as one vehemently suspected, be condemned to the Gallies for ten Years, and without any Suspend suffer perpetual Banishment from the City, the whole Kingdom of *Granada*, the Royal Court, and five Leagues around it; and that he should be exposed in the Habit in which he was apprehended; and whilst his Sentence was reading with the Merits of the Cause, should lift up his Right Hand, fastened into an Iron Collar, and escape Whipping, because he was a Religious.

Thus we see that this Hermit came off with a lesser Punishment, because by a pious Fraud he intended to promote the Glory of *Our Lady of Triumph*. But if they believe that any Thing is done to the Prejudice of the *Roman Religion*, altho' the Criminal should deny his Intention, he will find his Judges to be cruel, and void of Mercy; and that they will put him to the Torture at Pleasure, that by the Severity of his Torments they may force from him a Confession of his Intention.

How the INQUISITOR may be rejected.

There are other Exceptions against the Judge himself, and those are principally two; the first is the Refusal of the Inquisitor. This Refusal is sometimes reasonable and just, sometimes frivolous and void. But in this Tribunal many Causes, which are sufficient to set aside other Judges, are not admitted, but only these; Enmities, Conspiracy against the Criminals, or something like it, as a grievous Contention, whence Enmity may easily arise. Lesser Causes are never allowed. Or if the Inquisitor hath dealt hardly by the Criminal, contrary to the common Course of the Law. If the Inquisitor apprehends that the accused Person will refuse him upon this latter Account, he may give a full Deputation to some other Person before he is acquainted with his being rejected; after which such Rejection is void, and the Deputation made stands good. If such Rejection be presented to the Inquisitor, he may amend his Mistake, and reduce the Process to the Condition it was in, before the Injury complained of; and thus the Grievance being removed, the Reason of Suspicion ceases, and the Refusal of the Inquisitor becomes void.

If he rejects him as an Enemy, or as a Friend of his Enemy or Accuser, *Eymerick* is of Opinion, that the Matter must be left to Arbitrators to determine it. But now the Reason of such Refusal must be remitted to the Supreme Senate of the Inquisition, that the Affair being summarily taken Cognisance of, the Inquisitor refused may be rejected, or prohibited to judge in that Cause, or on the contrary may be commanded to proceed.

CHAPTER XVIII.

Of the APPEAL from the INQUISITOR.

A Nother Exception against the Judge is, to appeal from the Inquisitor. However, Hereticks are allowed no Appeal from a definitive Sentence, because no one is definitively condemned for Heresy, unless one that hath confessed it, or who hath been legally convicted, according to the Laws of the Inquisition; and from such definitive Sentences there can be no Appeal, in Favour of the Faith, and out of Hatred to Hereticks, lest Judgment should be protracted. But an interlocutory Sentence is a quite different Thing, and from this Criminals are allowed to appeal, when they think they have been unjustly dealt with.

This Appeal must consist of two Parts: The Grievance which the Criminal affirms he lies under, and the Plea by which such Grievance is proved.

Some Grievances are capable of being remedied. As if the Inquisitor should not admit the accused Person to make his Defence, or hath singly, and by himself, without the Bishop or Vicar, commanded him to be put to the Question. Other Grievances are irreparable, as if he hath actually made him undergo the Torture. And therefore when the accused Person alleges the Grievances, and again and again demands * Letters of Appeal, the Inquisitor, after such an Appeal is exhibited to him, must, within thirty Days, examine the Reasons of such an Appeal; and if after having taken the Advice of proper Persons, he finds that he hath unjustly aggrieved the accused Person, he must, at the Term assigned, amend what hath been amiss, remedy the Grievances complained of, and bring the Process to its former State, and then proceed as before. For when the Grievance is removed, the Appeal is void.

As to irreparable Grievances, there must be a very cautious Procedure, nor must any one be put to the Torture without legal Proofs.

For if there have been such Grievances as these, the Process can't be reduced to its former State.

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If the Inquisitor believes that he hath not proceeded unjustly, he assigns, within thirty Days, to the accused Person a certain Term, specifying particularly the Place, Day, and Hour, for his having given him, and receiving from the Inquisitor, such Letters of Appeal, as the Inquisitor shall determine to give him. If he finds the Causes of the Appeal to be false, or frivolous, or void, and that the Appellant only endeavours to escape Judgment, the Inquisitor gives him what they call negative Letters, or Letters of Refutation, in which he refutes all the Reasons, alleged in Support of such Grievances, and says, that he doth not admit, nor intend to admit, the Appeal put in, and that he pays no Regard to it, nor ever intends it. This is the Answer he gives to him who appeals unjustly, which he commands to be inserted directly and immediately after the Appeal presented to him, and then delivers it to the Notary who presented it. But if he finds the Grievances to be real, and unjustly laid on him, and to be irreparable, or if he is in doubt concerning these Things, he gives the Appellant what they call affirmative Letters, or Letters of *Reverence*, in which he says he hath proceeded justly; and after running thro' the several Causes of the Appeal, and answering them, at length concludes, that he hath given no Cause of Appeal; but that nevertheless, for the *Reverence* he bears to the Apostolick See, which is appealed to, he allows the Appeal, and remits the whole Affair to the Pope, and assigns to the Appellant a certain Term; within which he must appear at the Court of Rome before the Pope, with the Process enclosed and sealed up, to be delivered to him by the Inquisitor, upon giving good Security, or under a safe and strict Guard. This is the Answer he gives to him, who appeals for affirmative Letters, which he commands to be immediately inserted after the Appeal put in, and thus delivers it to the Notary who presented it.

If the Inquisitor gives the Appellant negative Letters, he continues his Process against him, to let him know, that he doth not cease to be his Judge, till he is prohibited to proceed by that Judge to whom the Appeal is made. But yet, from the Hour of the Appeal, he can do nothing new against the Appellant, till he hath delivered to him the negative Letters. But if he grants him affirmative or reverential Letters, he immediately ceases to be his Judge, and can take no farther Cognizance of the Cause, unless it be remitted to him by the Pope. He may, however, proceed against the Appellant in any other Cause, viz. if after having given him such Letters of *Reverence*, he is informed against before the Inquisitor for other Heresies and Crimes.

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But now the inferior Inquisitors are not allowed to use this Power. In Spain, the Madrid Instruction, An. 1562. c. 51. gives this Caution in the Affair. *If the Inquisitors think that an Appeal is to be allowed in any Case, in the criminal Causes of such Criminals as are imprisoned, they must send the Processes to the Senate of the Inquisition, without certifying the Criminals themselves of it, and with such Caution and Secrecy, that no one without the Prison may know it; because, if the Senate should think otherwise in any particular Cause, it may give Order, and take the necessary Care about it.* But in other Provinces, and especially in Italy, where the Appeal is admitted, the Inquisitors consult the Senate of the general Roman Inquisition for the whole Christian Commonwealth, the Cause being briefly and summarily reported to them; and if the Senate thinks fit that the Criminals should be sent to Rome, it must be done, and the Inquisitors must send them thither under good Security, and safe Custody.

CHAP. XIX.

How they proceed against such who make their Escape.

THUS have we given an Account of the Method of proceeding against a Criminal actually in Prison. But if he absent, or hath made his Escape, the Process is formed against him after this Manner. When any one is informed against before the Inquisitor for being infected with Heresy, and such Person is not present in the Place where the Inquisitor lives, but dwells in some other Place, within the Bounds of the Inquisitor's Jurisdiction, he is said to be absent, but not a Fugitive. When there is any Apprehension of his Escape, tho' they determine that they may omit the making any verbal Citation, and proceed immediately to apprehend him, yet sometimes such absent Person is summoned to appear on a certain Day and Place, to answer to such Matters whereof he is accused. But because by such a Citation the Criminal may be induced to meditate his Escape, others advise, that no particular Cause should be mention'd in this Citation, but that he should be only commanded in general to appear before the Inquisitors, to inform them of certain Matters. Likewise, the Inquisitor writes to the Rector of the Church, to which the Criminal is subject, commanding him to summon the Criminal

minal before him to answer concerning the Faith, and to declare the Truth of himself and others as to the Crime of Heresy.

If the absent Person be wholly out of the Jurisdiction of the Inquisitor, the Inquisitor examines the Witnesses privately, that it may not come to the Knowledge of the absent accused Person that Inquisition is made against him. Then the Inquisitor farther enquires, Whether he will return into his Jurisdiction? If 'tis probable he will, he waits a Year or more for his Return. If 'tis probable he will not, but that he hath changed his Place of Abode, 'tis at the Pleasure of the Inquisitor either to require the Inquisitor of Diocesan, whose Jurisdiction the Criminal is under, to send him to him, or else to transmit him the whole Process, that he may do what he thinks proper. In Portugal Persons accused are never turned over to another Place, but punished in the District where they are taken, whether the Crimes and Informations against the Criminals are sent by the Inquisitors of other Districts.

But when any one knows that Inquisition is made against him, or is actually imprisoned, and yet makes his Escape, to avoid the Hands of the Inquisitors, he is said to be a Fugitive. In this Case the Inquisitor first enquires diligently, and without Noise, to what Place he is fled, and where he hath concealed himself; and if he finds out the Place, orders him to be taken up, and sent back to him. If it be within his own Jurisdiction, he may require the Temporal Lord to apprehend him, and conduct him within his District. Yea, he may require the same from any other Lord, whilst he hath him in Possession. If he be without his Jurisdiction, he may nevertheless proceed against him, and require the Inquisitor, in whose Jurisdiction he is, to cause him to be taken up, and sent back to him, or send him his Process, that he may do what Justice shall require.

If the Inquisitor cannot find out the Place to which the Criminal is fled, he cites him personally in the Cathedral Church of that Diocese to which he belongs, and in the Parish Church of that City, where he dwelt before his Escape, and finally in his own proper House in which he commonly lived, personally to appear within a certain Term before the Inquisitor, to answer concerning the Faith and Articles of Faith, under this Penalty, that if he doth not appear within the Term assigned him, he shall be excommunicated with the greater Excommunication.

But that such Escape may not go unpunished in the Person, who being in Custody for Heresy, breaks out of Prison, 'tis a Matter of Custom rather than Law, especially in Spain, that if he who makes his Escape,

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be of any considerable Reputation, and apprehended again, for Instance, a Nobleman, Doctor, religious Person, or otherwise a Citizen of Account, he shall be kept in stricter Custody, and punished more severely. But if he is a mean Person, he is publicly whipped, and his Cause is to remain, and be carried on in the State it was before, but he is not to be treated for his Escape as one convicted of Heresy; because the breaking out of Prison, or an Escape, hath nothing common with Heresy, and 'tis to be presumed that he fled because tired out with his Imprisonment, or thro' Fear of false Witnesses, or the Severity of his Torments, rather than from any Error of his Understanding. However, *Zanchinus* says, that a Prisoner who escapes, or attempts to break Prison, ought to be esteemed as a Convict, and condemned as an Heretick. *Simancas* on the other hand says, this cannot be proved by Common Law, and tho' it be more plainly ordained by the Royal Laws, yet in his Judgment 'tis extremely severe. 'Tis usual also with the Inquisitors, as soon as ever they understand the Criminals have escaped, to write to the neighbouring Inquisitors or Bishops, or other Persons whom they judge proper, to find out whether the Person escaped hath fled to their City, that they may take Care to apprehend him, adding in their Letter his Name, Sirname, Country, Stature, Colour, and other Circumstances, by which the fugitive Criminal may be easily known.

But if such Fugitive shall be found guilty of Heresy, not only by Witnesses, but by his own Confession, and hath declared himself ready to abjure it, and yet escapes before his Abjuration, especially if he be a religious Person, who hath himself preached Heresies, he is cited personally to appear before the Inquisitor at a certain Place, and within a certain Day, to abjure his Heresy, and threatened with Excommunication, unless he obeys. And if with an obstinate Mind he lies under the Sentence of Excommunication for a Year, and doth not make his Abjuration, he is to be judged as an obstinate Heretick, and delivered over to the Secular Court. If being thus cited, they nevertheless refuse to appear, but suffer themselves to continue under Excommunication, they are declared publicly to be excommunicated in all these Churches and Places in which they have been cited, and all are commanded under the Penalty of Excommunication, to avoid them as excommunicated Persons, and to discover them to the Inquisition, if they know where they have concealed themselves. Thus the Council of *Toulouse* hath decreed. And if they find any Hereticks, their Believers, Favourers, and Receivers, or Abettors,

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let them take due Care that they don't escape, and be sure to discover them to the Archbishop, or Bishop, or Lords of the Places, or their Bailiffs, with all Speed, that they may receive their due Punishment.

CHAP. XX.

How the PROCESS is ended in the INQUISITION.

AFTER the Process is thus begun and carried on, it remains that we now explain how it is finished.

When all the Defences are exhibited, the Criminal presses to have his Cause dispatched. This may, and must, be done either by the imprisoned Criminal himself, or by his Procurator or Advocate, and that either by speaking, or by presenting a short Petition.

After this the Judges, with their Assessors and Counsellors, having examined the Proofs, shall consider, and shall proceed according to the Merits of the Causes to pass Sentences, or to * Interlocutories, and absolve the Innocent, and leave the Obdurate to the Secular Judge, and condemn such as are suspected, according to the Nature of their Crimes, Persons, and Proofs, either to the Question, or Abjurations, or Purgation, or Imprisonment, or Banishment, or to a Fine; or shall enjoin them to purge and redeem their Fault by Fastings, Prayers, and Alms.

The Judges must also be very careful, generally to interrogate the Criminals concerning their Accomplices, and of all others from whom they have learnt Heresies, and who they know to be, or to have been Hereticks. And if they discover any Thing of these Matters, it must be written down in the Books of the Inquisition.

'Tis farther provided, in a certain Chapter of the third Instruction, that all the Inquisitors of Spain shall observe the same Order in proceeding against Hereticks and suspected Persons; and as this had not been usual, we drew up, says *Simancas*, eighty Heads, by which the Form of Proceeding might be always uniform and consistent with itself, which Heads

* *Interlocutio* is not a definitive Sentence, but the Determination of some smaller Matter in a Cause, till the principal Cause is fully discussed.

are to be observed by all Inquisitors, according as 'tis ordered by the general Edict of the Inquisitor, printed in the Year 1561.

Finally, There are several Heads of Instruction which provide, that these Causes shall be carried on with as much Brevity as possible, and not be deferred or suspended thro' any Expectation of future Proofs, because probably there may never happen any such, and in the mean while the Criminal will be oppressed, and his Effects be dissipated and wasted.

For which Reasons this one Thing is to be consider'd and avoided, tho' many Inquisitors have often practis'd it, viz. the deferring and suspending the Causes of many Persons which have been a long while concluded, that they may punish several Criminals together. The Consequence of this is, that such Criminals who have fully confessed their Errors, are made unrighteously to suffer the Punishment of remaining in Prison, and of pining away thro' Nastiness, Infection, and long Confinement, and which is much more grievous and dangerous, it occasions them to retract the Confessions they have rightly made, and never to think of them, and sometimes to despair and die. 'Tis therefore much more agreeable to Piety and Mercy, immediately to reconcile such to the Church, who have made a full Confession, which may be done with Solemnity enough upon some Holiday within the Church, unless there be some just Reason to the contrary.

When the Opinions of the Counsellors are heard, and the Sentence given, the Criminal is summoned to come and hear his Sentence. 'Tis not determined by any particular Law by what Officer he is to be cited; and therefore the Custom of each Inquisition is to be observed. Without such Citation there can be no Sentence. This *Pugna* gives us a large Account of in his Notes upon *the Light of the Inquisitors*.

"The judiciary Method is to be fully observed in almost all Causes, otherwise the Process is rendered void. But this is particular in the Causes of heretical Pravity, that in order to their being more quickly dispatched, and that such heinous Offences may be more speedily punished, the full judiciary Method need not be observed. So that they proceed herein simply, and plainly, and without the Noise and Appearance of Judgment. Neither is there any room here for the Contestation of the Suit, which consists in debating on the principal Matter on one Side and the other before the Judge, and the putting in Answers either by denying or confessing.

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" But if any Thing be omitted, which is essential to such Trials, such
 " as the Citation, the Term, and the receiving the Witnesses after Cita-
 " tion, and if the Sentences be not given in Writing, in proper Place and
 " Time, with the usual Solemnities, all is void. And this is true also in
 " the Crime of Heresy; for by omitting any Acts which are essential,
 " the Process even in Causes of the Faith would be destroyed.

Simancas hath given us a brief Account of the Manner of pronouncing
 Sentences, which I shall here insert, because it fully represents to us the
 Method which is usually observed in these Cases.

" All the Judges are obliged to read the Sentences out of a little Book
 " or Brief, and must do it themselves, and not by others, unless they are
 " Illustrious Persons, or in some Post of great Dignity. And therefore,
 " when the Inquisitors have a Cause before them of more than ordinary
 " Consequence, they may pronounce Sentence by others, which must be
 " done before the Clergy and People, for Instruction, Warning, and
 " Terror. And this was formerly the Custom in *Spain*.

" The Form of a Sentence of Condemnation, is this: First the Na-
 " ture of the Doctrine or Opinions asserted by the Criminal himself, is
 " declared; after this the diligent Enquiry that hath been made into his
 " Crimes, the Citations, Admonitions, Confessions, legal Proofs, the
 " Times given for Repentance, his Mind hardened in his Errors, his ob-
 " stinate persisting in them, and all other Things, which may tend to
 " shew that the Process which hath been carried on and observed against
 " him hath been just, are enumerated. All which Particulars being laid
 " down in their Order, then follows the Sentence itself, formed as the
 " Nature of the Crime requires, according to the Ecclesiastical Rules,
 " containing the Condemnation of the Opinions, Authors, Books, and
 " other Matters.

" Besides, in the Sentence of Condemnation, the Time must be de-
 " clared from which the Criminal fell into Heresy, that by a bare In-
 " spection the Judge of the forfeited Effects may know from what Day
 " his Effects are to be confiscated, which is provided by a certain Let-
 " ter of the Inquisitor-General, for this Reason, that there may be no
 " Need of looking over the whole Process on this Account, in which
 " there are several Things which ought to be kept secret. It is also pro-
 " vided by another Letter of the Senate, that when the Judges and the
 " Learned are deliberating about the Sentence to be pronounced, they
 " shall fix the Time of the Heresy. This Letter is printed amongst the
 " Instructions, and dated from *Granada, Anno 1499*.

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“ The Sentence, by which Persons lapsed into Heresy, are re-incorporated into the Church, is in this Form. They are declared to have been Hereticks or Apostates, and to have incurred the Penalties established by Law. But in as much as they say they will return to the Church, with a pure Heart, and Faith unfeigned, the Judges absolve them from Excommunication, and reconcile them to the Church, if it be true what they say, that they are unfeignedly and truly converted.”

“ But in a Sentence of Condemnation the Criminal must be declared an obstinate Heretick, and his Effects be confiscated, and his Opinions and Writings must be condemned and anathematized, and he must be moreover deprived of all Ecclesiastical Titles, Publick Offices, and Honours whatsoever, and finally be deliver’d over to the Secular Court, to receive his due Punishment.”

“ But if any one, after Sentence of Reconciliation, shall be convicted of having concealed any Heresies or Hereticks, or to have boasted that he was innocent, and unjustly condemned, he must be examined again as an Impenitent; nor will the Sentence by which he was reconciled to the Church, be of any Service to him, because it appears by this very Thing, that it was pronounced upon a feigned Confession and pretended Conversion. Besides, if any new Proof arises against the Convert, his Cause must be tried over again, notwithstanding the Sentence of Re-incorporation, or Absolution, or Purgation, or Question pronounced before in the same Cause.”

“ When the Inquisitors differ, and the Cause is determined by the Senate of the Holy Inquisition, all must subscribe to the Sentence, even they who were of the contrary or different Opinion. If there should happen to be in any Province three Inquisitors, and one agrees with the Bishop or his Vicar, and the two others differ from them, the Cause must be remitted to the Senate. But if two agree with the ordinary Judge, the Sentence must be immediately pronounced, without any Mention made of the Difference about pronouncing such Sentence. All these Things are more fully contained in several Letters of the Senate.”

“ It is also the Custom, when the Sentences against Hereticks are publicly pronounced, to read those last of all, by which the Obstinate and Impenitent are condemned; and after they have read over a summary Account of the Acts of the Process, to make a Pause, and admonish the Hereticks before all the People, that they would at length be converted, because as yet the Time of Mercy is not out. If they say

“they will be converted, they are to be carried back to Prison, and admitted to Penance, if converted! But if they persist in their Obstinacy and Impenitence, their Sentence must be read; after which they must be immediately seized on by the Secular Judge, and being condemned to the Flames, be directly burnt. Lutherans are dealt with in a different Manner, because they are the worst, and the most pernicious of all Hereticks, and very seldom truly converted; on which Accounts they are treated with greater Severity.

“In this Order the Sentences were pronounced in Spain against Hereticks descending from Jews and Moors, because they could hurt only themselves, or those of the same Race with themselves; for during the Space of 800 Years, none of the noble or ancient Christians were infected by them. But after that the pernicious Hereticks of our Time are found to have infected not only ancient, but even some noble Christians with their Impiety, they are not admitted to be reconciled at the last Moment when Sentence is to be pronounced, because then they ask Pardon rather thro’ Fear of immediate Death, than willingly and from the Heart, and being thus but feigned Converts, may do a great deal of Mischief.

C H A P. XXI.

How the PROCESS is ended by Absolution.

HAVING said these Things in general, it now remains, that we distinctly explain how every Process is finished.

The first Manner of ending a Process in Causes of the Faith, is by Absolution, when the Criminal is not found guilty. And this may happen two ways, either because he was really found innocent, the Informers and Witnesses being found guilty of Falshood, or because the Accusation against him was not fully proved.

If he is found innocent after the first Manner, especially if the Witnesses have retracted their Depositions, then he may be pronounced innocent. And in this Case, as *Paranus* tells us, the accused Person, whole Innocence appears, rides upon a Horse, amidst the Applause of the People, crowned with Laurel and Palm Branches, after the Manner of a Triumph.

If he is not found guilty, after the second Manner, because he is not convicted, neither by his own Confession, nor the Evidence of Fact, nor by the legal producing of Witnesses, and is not otherwise found to be suspected, nor publicly defamed for the aforesaid Crime, he is absolved by the Bishop and Inquisitor together, or by either of them separately.

For that the Prisoner cannot be condemned in such a Case, is expressly determined by the Council of Biterre.

In such a Sentence of Absolution, there is no Mention made of the Heresies or Crimes, for which such Person is accused or informed against, because they are not proved. This hath been provided for by the Madrid Instruction, Anno 1561. c. 62. whether it be pronounced upon a Person dead or alive. When he who defends the Memory and Reputation of a Person deceased, hath legally maintained his Cause, and the deceased Person is to be absolved from any farther Trial, his Sentence shall be pronounced in the Publick Act, because the Edicts were published against him. However, in this Case, the Statue of such deceased Person who is absolved in the Publick Act, shall not be brought forth, nor shall the particular Errors of which he was accused be recited, because they are not proved. The same must be observed with respect to those who are personally apprehended and accused, and absolved from farther Trial, if they shall demand it.

Not that they are wont to pronounce such Criminal free from Heresy, but only to declare that nothing is legally done against him, on Account of which he may, or ought to be pronounced an Heretick, or any ways be suspected of heretical Pravity; and that therefore he is wholly released from his present Trial, Inquisition, and Judgment. But they carefully avoid putting into his Sentence that he was innocent, or not guilty, that if so be he should afterwards be informed against, and the Crime legally proved, he may be condemned notwithstanding the aforesaid Sentence of Absolution. But if it should happen that any one is pronounced wholly innocent, and is afterwards accused of the same Crime, their Doctrine is, that notwithstanding his Sentence of Absolution, he may be again judged and condemned; because, in this Crime no Sentences whatsoever can ever be accounted as an adjudged Case, in Favour of the Faith.

How the PROCESS of a Person defamed for Heresy is ended by Canonical Purgation.

When the Person accused is only found to be defamed for Heresy, in any Village, City, or Province, and is not convicted either by his own Confession,

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Confession, or the Evidence of the Fact, or by the legal producing of Witnesses, or any other legal Proofs, and Infamy only is precisely against him, he is not absolved, but he is enjoined Canonical Purgation by the Bishop and Inquisitor, and not separately.

There is frequent Mention made of Canonical Purgation, in the Papal Law, and tho' in all other Crimes, 'tis grown into Disuse, yet in the Crime of Heresy 'tis now practised, and is very common in the Sacred Court of the Inquisitors. For which Reason *Godofred* praises *Spain* in these Words: "Persons suspected of Heresy, are punished in the most religious Kingdom of *Spain*, triumphing especially in these Times, and worthy of singular Praise, because it suffers not only no real Heresy, but even no Suspicion of Heresy to remain even a Moment without a suitable Censure."

In the Cause of Canonical Purgation, they proceed according to this Manner and Custom. The Inquisitors, Bishop, or his Vicar and Assessors, or the learned Council meet together, and after discussing the Proofs, condemn the Criminal to purge himself by certain Witnesses. The Number of these Witnesses is arbitrary, and not precisely determined. Sometimes two Abbots were deputed. Sometimes there have been fourteen Compurgators. In one Place there are twelve named, and in the Chapter *Ex tuarum*, seven or five are prescribed. The Judge is to consider the Nature of the Person, Crime and Infamy, and then to order the Number of the Compurgators to be greater or less. For as to Persons of greater Power, or of more Note, or who labour under greater Infamy, more are required, than from other mean and unknown Persons, who can't so easily procure a large Number of Compurgators, to purge themselves, because all Compurgators must come in voluntarily, and can't be compelled as other Witnesses. But yet ordinarily the Number is determined, that every Criminal shall purge himself with about seven Witnesses, with this Addition, that if he fails in one, two, three, or more, he shall be looked on as fully convicted of the Crime.

Formerly, he who was defective in only one Expurgator, was condemned as a Convict, because he was not purged by all. But when that was found to be very dangerous, and as it might be said that he was purged by all who was purged by the greater Part, it was agreed on, that at the same time when the Number of Purgators were agreed on, it should be determined, that if any one failed either of one, two, or three, or more of them, he should be esteem'd as an Heretick Convict. For both these Things are entirely at the Pleasure of the Judge.

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These Witnesses must be of the same Order as the accused or defamed Person himself, *i. e.* if he be a Religious, they must be Religious; if of the Secular Clergy, they must be of the Secular Clergy; if a Soldier, they must be Soldiers. But here they take the Word Order in general, but don't extend it to any particular Divisions under it. So that if a Bishop is to be purged, Abbots and religious Presbyters may be admitted with Bishops in the Purgation. And so in the others. But if such Compurgators are not to be found, there must be chosen some other good Men, Citizens or others. The Compurgators must be Catholick Men, of an approved Life and good Reputation, who have not only been acquainted with his present, but with his former Conversation and Life, and who probably will not conceal the Truth, or say a Falshood, thro' Affection, Hatred, Fear, Money, or Entreaty. This Sentence is to be declared to the Criminal, who may appeal from it, and after his Appeal the Cause must be referred to the Council, except the Appeal appears to be frivolous. In such a Case the Inquisitors must not allow it, as it is in general appointed by *Clement IV.* and in particular by a certain Letter of the Council of the Holy Inquisition.

If there be no Appeal from the Sentence, or if the Sentence be confirm'd after the Appeal, or if it be rejected as frivolous by the Inquisitors, the Criminal, in order to purge himself, must name so many good Men, for expurgatory Witnesses, as are mentioned in the Sentence of the Inquisitors. These Witnesses must be separately cited before the Inquisitors, and asked these three Things. 1. Whether they know the Criminal, and how long? 2. Whether the Criminal, or his Relations, or Kindred, have given and promised any Thing to them the said Witnesses, that they should favour the Criminal? 3. Whether they have offered themselves to purge the Criminal? After this they are all called to the Place where the Inquisitors give Audience, and the Criminal is brought to the Tribunal, and interrogated by the Inquisitors, Whether he knows those Men, and whether they are the Persons which he hath named for his expurgatory Witnesses? He usually answers, that he knows them, and that they are the same which he nominated. These Things are done before the Inquisitors only, and a Secretary or Notary, who commits every Thing to Writing; nor must any one be permitted to be present at this Purgation, no, not the Vicar, of the ordinary Bishop, as is contained in a certain Letter of the Council of the Inquisition. However, the Ordinary, or his Vicar must not be excluded when the Sentence of Purgation is given. Then the Inquisitor turns himself to
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the Expurgators, and speaks to them in this Manner. *Know ye, Brethren, that the Criminal N. is accused and suspected of this and that Crime, on which account he is obliged to purge himself from this Suspicion, and you are named as Witnesses of his Innocence. And you N. answer by God and the Holy Gospels, whether thou hast committed those Crimes?* Having thus been sworn upon the Cross and the Holy Gospels of God, to declare the Truth, the Inquisitors say to him, *Thou N. hast been accused of such and such a Crime, specifying those Crimes only which favour of Heresy, of which thou art vehemently suspected upon Consideration of the Merits of the Process, and therefore we demand of you, upon the Oath you have taken, whether you have committed, or done, or believed these Crimes, or any one of them?* And when he hath given his Answer in the Presence of his Compurgators, he is carried back to Prison. Then the Inquisitor interrogates the Purgators, Whether they have rightly understood all these Things? Who answer, that they have. After this the Witnesses withdraw, and being each separately called in, the Inquisitor demands of them, upon a solemn Oath, Whether they believe N. hath sworn true or false? And whatever they answer, must be faithfully written down by the Notary. All these Matters are almost to a Word contained in one of the *Seville Instructions, Anno 1500. cap. 4.* Formerly also, if a Person was publicly defamed for Heresy, he was enjoined Canonical Purgation publicly, that he might publicly satisfy those by Purgation, whom he had publicly offended by the ungrateful Smell of Infamy, and he was therefore purged in that Place where he was known to be defamed. And if he had been defamed in several Places, he was obliged publicly to profess in all of them the Catholick Faith, and to detest the Heresy for which he was there defamed. The Form of the Oath, by which defamed Persons were formerly obliged to purge themselves, was prescribed by the Council of *Tarragone.* *I N. swear by Almighty God, and by these Holy Gospels of God, which are now in my Hands, before you the Lord N. Archbishop, or Bishop, and before you who are present, that I neither am, nor was, one of the Inzabbatati, Valdenses, poor Men of Lyons, nor an Heretick of any Sect of Heresy condemned by the Church, and that I do not believe, nor ever have believed their Errors, nor ever will, the whole Time of my Life. Yea, I profess, and protest that I do, and always will, for the future, believe the Catholick Faith, which the Holy Roman and Apostolick Church publicly holds, teaches, and preaches, and which you, my Lord Archbishop, or Bishop, and the other Prelates of the Universal Church, do hold, and publicly preach and teach.* The Form of the Oath, prescribed

prescribed to the Compurgators, is this: *I N. swear by God, and by these four Holy Gospels of God, which I hold in my Hands, that I firmly believe, that such a one hath not been one of the Inzabbatati, Valdenses, or poor Men of Lyons, nor an Heretick, nor a Believer of their Errors; and I firmly believe, that in this Matter he hath sworn the Truth.* Having performed the Purgation enjoined him, the Criminal must be absolved, and declared to be a Person of good Reputation, nor can he be afterwards proceeded against upon the preceding Proofs. And thus the Infamy is removed, or the Effect of the Infamy of the Fact.

If he fails in his Purgation, *i. e.* if he can't procure such and so many Purgers as he is enjoined, he is esteem'd as a Convict, and condemned as an Heretick.

But others use this Distinction. If he can't procure so many Witnesses, because they don't believe he hath sworn the Truth, in such a Case he is accounted as a Convict, and deficient in his Canonical Purgation. But if he can't procure them because he is poor, or a Foreigner, and so doth not know so many Persons in the whole Town, in this Case the Judge may relieve him at his Pleasure, upon considering the Quality of the Person, Crime, and Infamy. So that if he can't procure so many of the Clergy to be his Compurgators, they may admit Laicks, or Women for want of Men. And if for the same Reason they can't procure so many of the Laity, they may believe his Oath alone. And in as much as one who is defective in his Purgation, is accounted as a Convict, they infer from hence, that if at any other Time he had fallen into Heresy, he ought now to be accounted as a Relapse for the Defect of his Purgation, and, as such, to be delivered over to the Secular Court.

But if he refuses to purge himself he is excommunicated; and if with an hardened Mind he lies under this Excommunication for a Year, he is condemned as an Heretick. If after his Purgation he falls into the Heresy from which he is purged, he is accounted a Relapse, and as such is to be deliver'd over to the Secular Court.

An Infamy is said to be vehement, when any one hath been oftentimes, or in many Places, marked with Infamy, amongst good Men, or hath on this account been excluded their Company, and when there arise any Signs or Suspicions encreasing the Infamy of the Heresy, or if after any grievous Offence committed, *viz.* the destroying the Images of the Saints, the burning of Churches, the Profanation of the Sacraments, and the like, any one is immediately looked upon as infamous. But if

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the Expurgators, and speaks to them in this Manner. *Know ye, Brethren, that the Criminal N. is accused and suspected of this and that Crime, on which account he is obliged to purge himself from this Suspicion, and you are named as Witnesses of his Innocence. And you N. answer by God and the Holy Gospels, whether thou hast committed those Crimes?* Having thus been sworn upon the Cross and the Holy Gospels of God, to declare the Truth, the Inquisitors say to him, *Thou N. hast been accused of such and such a Crime, specifying those Crimes only which savour of Heresy, of which thou art vehemently suspected upon Consideration of the Merits of the Process, and therefore we demand of you, upon the Oath you have taken, whether you have committed, or done, or believed these Crimes, or any one of them?* And when he hath given his Answer in the Presence of his Compurgators, he is carried back to Prison. Then the Inquisitor interrogates the Purgators, Whether they have rightly understood all these Things? Who answer, that they have. After this the Witnesses withdraw, and being each separately called in, the Inquisitor demands of them, upon a solemn Oath, Whether they believe N. hath sworn true or false? And whatever they answer, must be faithfully written down by the Notary. All these Matters are almost to a Word contained in one of the *Seville Instructions, Anno 1500. cap. 4.* Formerly also, if a Person was publicly defamed for Heresy, he was enjoined Canonical Purgation publicly, that he might publicly satisfy those by Purgation, whom he had publicly offended by the ungrateful Smell of Infamy, and he was therefore purged in that Place where he was known to be defamed. And if he had been defamed in several Places, he was obliged publicly to profess in all of them the Catholick Faith, and to detest the Heresy for which he was there defamed. The Form of the Oath, by which defamed Persons were formerly obliged to purge themselves, was prescribed by the Council of Tarragone. *I N. swear by Almighty God, and by these Holy Gospels of God, which are now in my Hands, before you the Lord N. Archbishop, or Bishop, and before you who are present, that I neither am, nor was, one of the Inzabbatati, Valdenses, poor Men of Lyons, nor an Heretick of any Sect of Heresy condemned by the Church, and that I do not believe, nor ever have believed their Errors, nor ever will, the whole Time of my Life. Yea, I profess, and protest that I do, and always will, for the future, believe the Catholick Faith, which the Holy Roman and Apostolick Church publicly holds, teaches, and preaches, and which you, my Lord Archbishop, or Bishop, and the other Prelates of the Universal Church, do hold, and publicly preach and teach.* The Form of the Oath, prescribed

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prescribed to the Compurgators, is this: *I N. swear by God, and by these four Holy Gospels of God, which I hold in my Hands, that I firmly believe, that such a one hath not been one of the Inzabbatani, Valdenses, or poor Men of Lyons, nor an Heretick, nor a Believer of their Errors; and I firmly believe, that in this Matter he hath sworn the Truth.* Having performed the Purgation enjoined him, the Criminal must be absolved, and declared to be a Person of good Reputation, nor can he be afterwards proceeded against upon the preceding Proofs. And thus the Infamy is removed, or the Effect of the Infamy of the Fact.

If he fails in his Purgation, *i. e.* if he can't procure such and so many Purgers as he is enjoined, he is esteem'd as a Convict, and condemned as an Heretick.

But others use this Distinction. If he can't procure so many Witnesses, because they don't believe he hath sworn the Truth, in such a Case he is accounted as a Convict, and deficient in his Canonical Purgation. But if he can't procure them because he is poor, or a Foreigner, and so doth not know so many Persons in the whole Town, in this Case the Judge may relieve him at his Pleasure, upon considering the Quality of the Person, Crime, and Infamy. So that if he can't procure so many of the Clergy to be his Compurgators, they may admit Laicks, or Women for want of Men. And if for the same Reason they can't procure so many of the Laity, they may believe his Oath alone. And in as much as one who is defective in his Purgation, is accounted as a Convict, they infer from hence, that if at any other Time he had fallen into Heresy, he ought now to be accounted as a Relapse for the Defect of his Purgation, and, as such, to be delivered over to the Secular Court.

But if he refuses to purge himself he is excommunicated; and if with an hardened Mind he lies under this Excommunication for a Year, he is condemned as an Heretick. If after his Purgation he falls into the Heresy from which he is purged, he is accounted a Relapse, and as such is to be deliver'd over to the Secular Court.

An Infamy is said to be vehement, when any one hath been oftentimes, or in many Places, marked with Infamy, amongst good Men, or hath on this account been excluded their Company, and when there arise any Signs or Suspicions encreasing the Infamy of the Heresy, or if after any grievous Offence committed, *viz.* the destroying the Images of the Saints, the burning of Churches, the Profanation of the Sacraments, and the like, any one is immediately looked upon as infamous. But if

he falls into any other Heresy, from which had not purged himself before, he is not accounted as a Relapse.

If he humbles himself in his Purgation, and will submit to Penance, he is to be admitted, and not deliver'd over to the Secular Court, unless he happens to be a Relapse; for if a convicted Heretick is received when penitent, much more is this Benefit of the Church to be granted to him who is convicted only by a kind of Presumption and feigned Proof.

'Tis a Custom amongst many Inquisitors, that a Criminal vehemently suspected shall be first tortured, and afterwards forced to purge himself if he confesses nothing. After this, when he is purged, he is obliged also to abjure, and after his Abjuration punished with other arbitrary Punishments. But others think it very unjust, that any one should be condemned to several Punishments for a single Crime; and in as much as every one of these Punishments is sufficient to purge away any Suspicions, tis, without doubt, needless and unjust, that a suspected Criminal should be made to undergo many.

But as this Purgation depends wholly on the Pleasure of other Persons, it is a very deceitful and uncertain Thing, and therefore should not easily be enjoined Criminals by the Inquisitors. Thus the *Madrid* Instruction, Anno 1561. cap. 47. *Canonical Purgation is, thro' the Wickedness of Men, a very dangerous Remedy, especially in these Times, and therefore is not much used, and must therefore be seldom practised, and with great Caution.* Hence *Simancas* judges, that those who are born of Jewish or Moorish Parents, must not be compelled to this Purgation, because it would be the same Thing as to throw them directly into the Fire. For who doth not think ill of them, or at least doubt of their Innocence? And therefore he thinks it would be better to compel them by Abjuration, Torments, or arbitrary Punishments. But if they are at any time condemned to this Purgation, and they can't procure such Compurgators as are required, others are to be admitted, tho' not altogether so fit, that he may not be wholly deprived of the Means of his Defence. And finally, he again and again admonishes the Inquisitors not rashly or easily to condemn any one to Canonical Purgation, for this Reason, amongst others, that tis enough to sink the Criminal, if the Witnesses answer, that they don't know, or doubt, whether he swore true or false. And, indeed, who would not be doubtful in this Case, who knows that no one is condemned to Purgation, who is not vehemently suspected? And therefore, in his Opinion, they only are to be enjoined

enjoined Purgation, whose Reputation is of high Concern to the Christian People, viz. Bishops, Priests, Preachers, and others of the same Kind.

How the PROCESS is ended by Torture.

When the Person accused is not found guilty, either by his own Confession, or the Evidence of the Fact, or legally producing the Witnesses, and when there is no such Evidence to support the Suspicion, as is necessary to his being condemned to abjure Heresy, he is condemned by an interlocutory Sentence to the Question and Torture, that if he confesses nothing when interrogated by Torture, he may be esteemed as free and innocent, and that if he confesses his Errors, he may be converted and live. *For the same End, says Simaneas, Paul delivered the Corinthian to Satan for the Destruction of his Flesh, that his Spirit might be saved.*

The Cases, in which they proceed to the Torture in the Process of the Inquisition, are various. This, however, is a received Thing, that they are never to proceed to Torture, unless there be a Defect of other Proofs, and they think that the Truth can't otherwise be found out. Hence they do not proceed to the Torture, till after the Criminal hath a Copy of his Process, and he hath answered to all the Articles, and exhibited his Defences, and yet can't make his Innocence appear plainly to the Judge, when at the same time he can't be fully convicted by Witnesses, or the Evidence of the Thing.

He adds farther, that a Copy of the Proofs is not to be given, when the Criminal is found contradicting himself, faltering, or trembling. For such Contradiction, Faltering, or Trembling, when other external Proofs are wanting, may determine the Judge to proceed to Torture upon any one of them. But others say, that every Variation is not enough to order to the Torture. *Bernard Comensis* writes to the same Purpose.

“In the Crime of Heresy the Judge or Inquisitor proceeds merely by Virtue of his Office, because he doth not proceed upon the Accusation of an Accuser, but upon Depositions taken by Virtue of his Office, and therefore 'tis not necessary that he should deliver the Criminal a Copy of the Proofs and Articles. But *Pegua* teaches the contrary in his Annotations upon the Words, *Tradere Copiam*.”

If the Person to be put to the Question, is caught contradicting himself, and there are at the same time other Proofs sufficient for the Torture, both these Things must be added in his Sentence. But if both of them don't concur, but only one of them, i.e. if he is caught in Contradiction

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tradiction without other Proofs, or if there are other Proofs, but no such Inconsistency, let it be put in his Sentence just as it appears.

'Tis farther to be observed, that the Judge must take Care that it be diligently and distinctly inserted at large by the Notary in the Acts, whether the Person interrogated answered with Resolution, or in a trembling Manner, what Signs he discovered in his Face, whether Paleness, or Tears, or Laughter, or Sweat, or Trembling; because, in Case of an Appeal, the superior Judge, who can't look on the Criminals and Witnesses personally, but only as they are described in Writing, can't come to the Knowledge of these Particulars, unless they are described at large by the first Judge; nor can the Judge appealed to presume that there hath been any Inconsistency, because he knew, that if there had, it ought to have been expressed in the Acts transmitted to him. And this is the more necessary, lest the Judge himself, upon Examination, should be proved to have ordered the Criminal to be tortured without Proof. This Inconsistency must be declared in Presence of the inconsistent Witness, when the Judge intends to punish him on this Account.

And this is what *Campegius* particularly recommends to the Vicars or Commissaries of the Inquisitor, or the other Deputies of the Holy Offices, that they let the Inquisitor know how far Persons, under Examination, are to be credited, which principally depends on their Looks. He thinks the same ought to be diligently observed, whether the Inquisitor himself, or his Vicar, makes the Examination, with respect to those skilful Persons, whose Advice they take, who also ought to know these Things.

But it depends wholly on the Pleasure of the Judge, whether or no the Person accused shall be tortured or not, upon Account of such Inconsistency, Faultering, Contradiction, Trembling, Sweat, &c.

If there are Proofs sufficient for Inquisition and Arrest, but not for the Torture, a prudent Judge may collect sufficient Proofs for the Torture from such Inconsistency, and the like.

But yet there is a Case given, in which a Person may be tortured, without any Proofs and Copy given, viz. when the Person under Inquisition is present, and will not answer. For then he is to be tortured, not to extort a Confession, but an affirmative or negative Answer. Likewise, if a Person under Inquisition doth not appear within the due Term, and is thereupon declared guilty of Contumacy, and afterwards comes to purge himself from such Contumacy, he may, without any other Proofs, be tortured upon account of it.

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When the Fame is either vehement, or great, or slight, the Quality of the Persons and Fact is to be considered. For if the Fact be great, and the Person of great Worth, 'tis necessary that this Fame should be either of the whole City, or at least the greater Part of it. But if the Fact is inconsiderable, and restrained to a certain Number of Persons, who most probably are acquainted with it, the Evidence of the major Part of them is enough to prove the Fame. As if a Bishop, living with his Canons, should be defamed for Fornication, such Infamy will be sufficiently proved by the major Part of those Canons. But if the Fact be very small, and the Person mean, the major Part of his Neighbourhood is enough.

Of all these Things *Pegna* gives us a distinct Account. In this Cause, the Crime is said to appear so far as to inflict the Torture, when there is an half full Proof, or Proof sufficient for the Torture. Of these Proofs there are several. First, Inconsistency, not indeed of any kind, but such only as regards the main Substance of the Crime, and in a Matter which it can't be presumed should be forgotten in so little a while, which is left to the Judge to determine; and when the Criminal himself doth not appear to be very stupid and forgetful. Secondly, When any one is found defamed for Heresy, and 'tis farther proved that there is a Witness against him who can testify from his own Knowledge, or that there is one or more vehement or violent Proofs. Thirdly, If there is one Witness against him who can testify from his own Knowledge, and at the same Time there is one or more vehement or violent Proofs against him. Or if it be found that there are against him several vehement or violent Proofs of Heresy, without any Infamy, or Witness from his own Knowledge. But when these Proofs are vehement, or sufficient for the Torture, is left to the Judge to determine.

However, the Inquisitors do sometimes shamefully abuse this Liberty, and rashly proceed to the Torture of innocent Persons, as will evidently appear by one Instance, not to mention more, given us by *Gonsalvius*.

" At the same time almost, they apprehended in the Inquisition at Seville, a noble Lady, *Joan Boborquia*, the Wife of *Francis Varquius*, a very eminent Man, and Lord of *Higuera*, and Daughter of *Peter Garfia Xeresus*, a wealthy Citizen of *Seville*. The Occasion of her Imprisonment was, that her Sister, *Mary Boborquia*, a young Lady of eminent Piety, who was afterwards burnt for her pious Confession, had declared in her Torture, that she had several times conversed with her Sister concerning her own Doctrine. When she was first imprisoned, she was about six Months gone with Child, upon which

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Account she was not so straitly confined, nor used with that Cruelty which the other Prisoners were treated with, out of Regard to the Infant she carried in her. Eight Days after her Delivery, they took the Child from her, and on the fifteenth shut her close up, and made her undergo the Fate of the other Prisoners, and began to manage her Cause with their usual Arts and Rigour. In so dreadful a Calamity, she had only this Comfort, that a certain pious young Woman, who was afterwards burnt for her Religion by the Inquisitors, was allowed her for her Companion. This young Creature was, on a certain Day, carried out to her Torture, and being returned from it into her Prison, she was so shaken, and had all her Limbs so miserably disjointed, that when she lay upon her Bed of Rushes, it rather encreased her Misery, than gave her Rest; so that she could not turn herself without the most excessive Pain. In this Condition, as *Boborquia* had it not in her Power to shew her any, or but very little, outward Kindness, she endeavoured to comfort her Mind with great Tenderness. The Girl had scarce begun to recover from her Torture, when *Boborquia* was carried out to the same Exercise, and was tortured with such diabolical Cruelty upon the Rack, that the Rope pierced and cut into the very Bones of her Arms, Thighs, and Legs; and in this Manner she was brought back to Prison, just ready to expire, the Blood immediately running out of her Mouth in great Plenty. Undoubtedly, they had burst her Bowels, insomuch that the eighth Day after her Torture she died. And when, after all, they could not procure sufficient Evidence to condemn her, tho' sought after and procured by all their Inquisitorial Arts, yet as the accused Person was born in that Place, where they were obliged to give some Account of the Affair to the People, and indeed could not by any Means dissemble it, in the first Act of Triumph appointed after her Death, they commanded her Sentence to be pronounced in these Words. Because this Lady died in Prison, without doubt suppressing the Causes of it, and was found to be innocent upon inspecting and diligently examining her Cause, therefore the Holy Tribunal pronounces her free from any farther Process, doth restore her both as to her Innocence and Reputation, and commands all her Effects which had been confiscated, to be restored to those to whom they of Right belonged, &c. And thus after they had murdered her by Torture with savage Cruelty, they pronounced her innocent. When

When the Sentence is pronounced by which the Criminal is condemned to the Torture, according to the Manner of the Inquisitorial Law and Processes, 'tis immediately to be notified to the Promoter of the Exchequer, that he may either appeal from it, or demand the Execution of it, as it is contained in the Letters of the Inquisition.

Formerly the Torture was inflicted by Lay-Judges upon Hereticks, or suspected Persons, according to the Constitution of *Innocent IV.* But because by this Means secret Matters were oftentimes divulged, and great Inconveniences to the Faith arose from hence, they afterwards thought it more convenient and wholesome, that the whole Cognisance and full Discussion of these Crimes, which are merely Ecclesiastical, should be confined to the Inquisitors. And as this could not oftentimes be done without the Question, 'twas therefore provided, that the Inquisitors and Bishops might torture Criminals for these Offences. And upon this Account they had this Privilege granted them, that if at any time they should happen to contract any Irregularity, they should mutually dispense with each other. As appears from the Rescript of *Urban IV.* And this is the Law now in Practice.

Skilful Judges usually enter a Protest in the Acts of the Process, that they intend to carry on the Torture some other Day, that they may be able to repeat it. But *Royas* says, some Criminals are so crafty, that he hath often actually seen them immediately confess their Fault, when put to the Torture, and after twenty-four Hours retract their Confession when they should confirm it, and when tortured again confess again, and retract again, and repeat the same as often as they are tortured. In which Case, to prevent the Process from being never finished, he thinks they are to be punished with a very grievous arbitrary Penalty, because of so many Variations, which occasion Proofs and bad Presumptions. For by the same Reason any one may be tortured again, he may be punished in an extraordinary Manner.

If he doth not persist in his first Confession, and is not sufficiently tortured, he may be put to the Torture again, not by way of Repetition, but Continuation of it; but they do not agree how often it may be repeated, when the Confession extorted by it is retracted. Some affirm it may be repeated once only, others, that it may be often. *Eymerick's* Opinion is, that a Person sufficiently tortured, ought to be dismissed freely, if he retracts what he confessed by Torture. But *Simancas* says, that a Criminal must not be condemned for a Confession drawn out by Torture, unless he afterwards perseveres in it. 'Tis the same in Law, if it

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be extorted by Fear, or Dread of impending Torments. The Confession is then said to be extorted thro' Fear of Torments, when the Criminal is carried to the Place in which the Torture is inflicted, and there stripped of his Clothes, or bound, or so terrified by the Judge, as that he hath great Reason to believe the Torture will be inflicted: For 'tis not enough if the Judge frightens him but slightly in any other Place, unless it be such a Fear as may affect a Person of Resolution. Hence *the Light of the Inquisitors* says, "Altho' the Judge says to the Criminal, when he is out of the Place of Torture, either confess, or I will order you to the Torture, frightening him by this Means as much as he can, upon hearing of which he makes his Confession, in such a Case the Confession is not said to be made thro' Fear of Torments, because the Terror itself is but slight."

But if he persists in his Confession, owns his Fault, and asks Pardon of the Church, he is condemned as guilty of Heresy by his own Confession, but as penitent. But if he obstinately persists in Heresy, he is condemned, and delivered over to the Secular Arm to be punished with Death. If the accused Person is forced to have fallen into Heresy, or there is otherwise Evidence proved against him, upon account of which he is obliged to abjure, as lightly or vehemently suspected of Heresy, he must not be tortured on this Account; but if besides this he denies some Things not sufficiently proved, and there be Proofs sufficient to put him to the Question, and he accordingly is tortured, but confesses nothing, he is not to be absolved, but is to be proceeded against according to the Things proved, and must be commanded to abjure either as suspected, or found guilty, as the Merits of the Process require. Or if he confesses any Thing by Torture, he must be forced also to abjure it.

C H A P. XXII.

How the PROCESS is ended against a Person suspected of Heresy, as also against one both suspected and defamed.

WHEN a Person accused of Heresy is found to be only slightly suspected of it, he is considered either as suspected publicly or privately. If he is publicly suspected, this was formerly the Manner of his Abjuration. On the preceding Lord's Day the Inquisitor proclaims, that

that on such a Day he will make a Sermon concerning the Faith, commanding all to be present at it. When the Day comes, the Person to abjure is brought to the Church, in which the Council hath determined that he shall make his Abjuration. There he is placed upon a Scaffold, erected near the Altar, in the Midst of the People, and is not allowed to sit, but stands on it, that all may see him, bare-headed, and with the Keepers standing round him. The Sermon being made on the Mass, to the People and Clergy there present, the Inquisitor says publicly, that the Person there placed on the Scaffold is suspected, from such and such Appearances and Actions, of the Heresy that hath been refuted in the publick Sermon; and that therefore 'tis fit that he should purge himself from it, by abjuring it as one slightly suspected. Having said this, a Book of the Gospels is placed before him, on which laying his Hands, he abjures his Heresy. In this Oath he not only swears that he holds that Faith which the *Roman* Church believes, but also, that he abjures every Heresy that extols itself against the Holy *Roman* and Apostolick Church, and particularly the Heresy of which he was slightly suspected, naming that Heresy: And that if he shall do any of the aforesaid Things for the future, he willingly submits to the Penalties appointed by Law to one who thus abjures, and is ready to undergo every Penance, as well for the Things he hath said and done, as for those concerning which he is deservedly suspected of Heresy, which they shall lay on him, and that with all his Power he will endeavour to fulfil it. After this Abjuration the Inquisitor says to him, *Son, Thou hast purged away by this Abjuration the Suspicion, which, not without Cause, we entertained of you. Henceforth take heed to yourself, that you don't fall into this abjured Heresy; for altho' if you repent, you would not be delivered over to the Secular Arm, because you have abjured as one slightly suspected only, and not vehemently, yet you would be much more severely punished, than if you had not abjured, and instead of being slightly suspected, would become vehemently so, and made to abjure as such. And if you should fall again, you would suffer the Punishment due to relapsed Persons, and be delivered over, without Mercy, to the Secular Court, to be punished with Death.*

If he hath not been publicly suspected, he abjures privately after the same Manner in the Episcopal Palace, or Inquisitors Hall. 'Tis now the Custom for slightly-suspected Persons to make all their Abjurations in private, whether the Fact be publick or not. Afterwards, he is enjoin'd Penance for what he hath committed, and upon account of which he was thus suspected.

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If he is vehemently suspected, he is placed in like Manner upon a Scaffold, and after he hath taken his Oath upon the Gospels, his Abjuration is delivered him in Writing to read before all the People if he can. If he can't read, the Notary, or some Religious, or Clergyman, reads it by Sentences, pausing between each till the other hath repeated it after him, and so on till the whole Abjuration is gone through. In this Abjuration he submits himself to the Punishments due to Relapses, if he ever after falls into the Heresy he hath abjured. After the Abjuration is made, the Bishop admonishes him, that if ever hereafter he doth, or says, any Thing by which it can be proved, that he hath fallen into the Heresy he hath abjured, he will be delivered over to the Secular Court without Mercy. Then he enjoins him Penance, and commands him to observe it, adding this Threatening, that otherwise he will become a Relapse, and may, and ought to be judged as an Impenitent. However, suspected Persons, whether it be slightly or vehemently, are not condemned to wear Crosses, nor to perpetual Imprisonment, because these are the Punishments of penitent Hereticks; though sometimes they are ordered to wear for a while the *Sambenito*, according to the Nature of their Offence. Ordinarily they are enjoined to stand on certain Holidays in the Gates of such and such Churches, holding a burning Taper of such a Weight in their Hands, and to go a certain Pilgrimage; sometimes also they are imprisoned for a while, and afterwards disposed of as is thought proper.

Gonsalvus gives us some Instances of these Punishments. There was at *Seville* a certain poor Man, who daily maintained himself and his Family by the Sweat of his Brows. A certain Parson detained his Wife from him by Violence, neither the Inquisition, nor any other Tribunal, punishing this heinous Injury. As the poor Man was one Day talking about Purgatory with some other Persons, of his own Circumstances, he happened to say, rather out of rustick Simplicity, than any certain Design, that he truly had enough of Purgatory already, by the rascally Parson's violently detaining from him his Wife. This Speech was reported to the good Parson, and gave him an Handle to double the poor Man's Injury, by accusing him to the Inquisitors, as having a false Opinion concerning Purgatory. And this the Holy Tribunal thought more worthy of Punishment than the Parson's Wickedness. The poor Wretch was taken up for this trifling Speech, kept in the Inquisitors Prison for two whole Years, and at length being brought in Proceffion, was condemned to wear the *Sambenito* for three Years in a private Prison; and when they

they were expired, to be dismissed, or kept longer in Prison, as the Lords Inquisitors should think fit. Neither did they spare the poor Creature any thing of his little Substance, tho' they did his Wife to the Parson, but adjudged all the Remains of what he had after his long Imprisonment to the Exchequer of the Inquisition.

In the same Procession there was also brought forth a reputable Citizen of *Seville*, as being suspected of *Lutheranism*, without his Cloak and his Hat, and carrying a Wax Taper in his Hand, after having exhausted his Purse of 100 Ducats towards the Expences of the Holy Tribunal, and a Year's Imprisonment in the Prison of the Inquisition, and having abjured as one vehemently suspected, only because he was found to have said, that those immoderate Expences, (and on these Accounts the *Spaniards* are prodigiously extravagant) which were laid out in erecting those large Paper or Linen Buildings, which the common People corruptly call Monuments, to the Honour of Christ now in Heaven upon *Holy Thursday*, and also those which were expended on the Festival of *Corpus Christi*, would be more acceptable to God, if they were laid out upon poor Persons, or in placing out to good Persons poor Orphan Girls. Two young Students were added to the Number in that Procession. One because he had written in his Pocket-Book some Verses made by a nameless Author, so artificially, as that the same Words might be interpreted so as to contain the highest Commendation of, or Reflection upon, *Luther*. Upon this Account only, after two Years Imprisonment, he was brought forth in Procession, without his Hat and Cloak, carrying a Wax Taper, after which he was banished for three Years from the whole County of *Seville*, made to abjure as lightly suspected, and punished with a Fine. The other underwent the same Censure, only for transcribing the Verses for their artful Composition, excepting only that he commuted his Banishment for 100 Ducats towards the Expences of the Holy Tribunal.

C H A P. XXIII.

The End of a PROCESS where the Heretick confesses.

IN Case the Prisoner acknowledge his Offence, and seem penitent, he is not delivered over to the Secular Arm, but otherwise punished as the Heinousness of his Crime deserves; and first he is publicly to

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abjure after this Manner. Before the Penitent is placed the Book of the Gospels; he falls on his Knees, puts his Hands on the Book, and if he can, reads his Abjuration; if he cannot, then a Clergyman reads, and making a Pause, the Person abjuring repeats what is read; then the Notary goes on, and the Abjurer always repeats his Words, with a loud Voice, so as to be heard by all, till the whole Abjuration is read over even to the End.

Formerly, before Persons violently suspected of Heresy abjured, the Bishop or Inquisitor used thus to address to him. *My Son, we violently suspect you of Heresy, upon account of those Things 'tis declared you have committed, upon account of which you are by Law to be condemned as an Heretick. Therefore consider and attend to what I say to you. If you will so depart from the said Heresy or Heresies, as to be willing now here publickly to abjure them, and patiently to undergo the Penance which we enjoin you, the Church and we, as the Vicars of Christ, will receive you to Mercy. But we will enjoin you a Penance, which you may well bear, and absolve you from the Sentence of Excommunication, which you were under, that you may be saved, and have Glory in the future World. But if you will not abjure, nor submit to Penance, we will immediately deliver you to the Secular Arm, and so you will destroy together both Body and Soul. Which therefore will you chuse, to abjure and be saved, or to refuse to abjure and be damned?* If he says, I will not abjure, and persists in it, he is delivered over to the Secular Court; as shall be afterwards shewn. But if he says that he will abjure, the Abjuration is made according to the Forms prescribed. But now the Bishop uses no such Discourse, but before the Criminal is brought upon the Scaffold, all Methods are diligently made use of for his Conversion; and if he be truly converted, he will abjure without any such foregoing Admonition.

This Abjuration is enjoined all who return from Heresy, and even all suspected upon any Account of Heresy; nor is any one, tho' otherwise privileged, and of great Dignity, excepted. Even Boys of fourteen, and Girls of twelve Years old, are compelled to it, according to the Decree of the Council of Thoulouse, An. 1229. *Let all Persons, as well Men as Women, the Males from fourteen Years old and upwards, and the Females from twelve, abjure every Heresy extolling itself against the Holy and Catholick Church of Rome, and the Orthodox Faith, under whatsoever Name it be ranked.*

If the Criminal knows how to write, he must subscribe his Abjuration; if he doth not know how to write, or can't, the Inquisitor and Notary

Notary must subscribe for him. This is prescribed by the Inquisitors of Spain, by the *Madrid Instruction, Anno 1561. Let the Abjuration which the Criminals make, be put at the End of the Sentence, and the Pronunciation of it, which the Criminals shall subscribe, if they know how to write, putting their Names to it; but if they know not how to write, then one of the Inquisitors and the Notary shall subscribe for them.*

When the Abjuration is made, because every Heretick is excommunicated, they are absolved from Excommunication upon this Condition, *viz.* if they return to the Unity of the Catholick Faith with a true Heart and Faith unfeigned, and observe the Commands enjoined them; which is expressly added, that if they should not observe them, it may appear that they were not absolved.

Those who commit heretical and apostate Facts, must be thus reconciled according to the Practice received in the Tribunal of the Inquisition. If they voluntarily appear and say, that they did not believe they ought to do so, but retained the Faith in their Hearts, then they abjure as vehemently suspected, and have other salutary Penances enjoined them. If they say that they both did so, and believed that they ought to do so, then they abjure as formal Hereticks or Apostates, and are more grievously punished, especially if they have committed heretical or apostate Actions voluntarily, or without being compelled by Fear, or by a slight Occasion of Fear. If they do not appear voluntarily, and yet confess heretical and apostate Actions, but deny the evil Intention, then they are to be tortured upon such Intention, that it may be known whether they have really believed so or not; and if after the legal Torture they persist in the Negative, saying, they had no ill Intention, then they likewise abjure as vehemently suspected. As to those who have committed such Things thro' grievous Fear, 'tis determined that 'tis likely they had no evil Intention. But if they confess the evil Intention or Error of the Mind, then they are compelled to abjure as formal Hereticks or Apostates, upon their being willing to return to the Unity of the Church, and are farther condemned as converted Hereticks to other Punishments and Penances, which we shall hereafter describe. But in order to their being more grievously or mildly punished, the Nature of that Fear they were under is considered, and the Circumstances of the Person offending; as whether he was a Youth or a Man, learned or unskilful, one of the Laity or Clergy, or Religious, and the like Things, which usually lessen or encrease the Offences. There are also others who pronounce heretical

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cal Words which have no Excuse, viz. in Jest, or Anger, or mere Simplicity, on which Offenders the Inquisitors may lay pecuniary Mulcts.

As to such Facts in which there appears nothing of an Infidel Rite, and which therefore only render a Person suspected, but don't demonstrate him to be an Heretick, no one is proceeded against as an Heretick, or Believer of Hereticks, upon account of them, but only as a suspected Person; because such Facts are sometimes committed thro' carnal Affection, sometimes thro' the Entreaties of Friends, sometimes also thro' Corruption by Money.

The Form of Abjuration formerly used in the Inquisition of *Thoulouse*, oftentimes occurs in the Book of Sentences. Herein they abjure every *Herefy* extolling itself against the Catholick Faith of our Lord *Jesus Christ*, and the Holy Roman Church, and all Belief of Hereticks of every condemned Sect whatsoever, by whatsoever Names they are called, and all favouring, receiving, and defending of them, and Communication with them, under the Punishment due by Law to those who relapse into the *Herefy* they have judicially abjured. They moreover promise and swear, that they will pursue, and reveal, and discover Hereticks, and their Believers, and Favourers, and Receivers, and Defenders, and who fly for *Herefy*, whensoever and wheresoever they know them to be, or any one of them; and that they will obey and be obedient, that they will hold and keep, and defend the Catholick Faith of our Lord *Jesus Christ*, which the Holy Church of Rome preaches and observes; and that they will obey and be obedient to the Commands of the Church, and the Inquisitors and their Successors, and that they will receive, and, according to their Power, fulfill and perfect the Penance enjoined them, and that they will never fly nor absent themselves through Contumacy and Wilfulness. This Form in another Place is a little alter'd.

In Ecclesiastical History we find two remarkable Forms of Abjuration prescribed to certain famous Doctors by the Church of Rome. The one is that of *Berengarius*, the other that of *Jerom* of Prague.

Berengarius abjured in these Words. *I Berengarius, an unworthy Deacon of the Church of St. Maurice of Angiers, acknowledging the true and Apostolick Faith, do anathematise every Herefy, and particularly that for which I have hitherto been defamed; which endeavours to prove, that the Bread and Wine placed upon the Altar are, after Consecration, only a Sacrament, and not the true Body and Blood of our Lord Jesus Christ, and cannot be sensibly, but only sacramentally, handled or broken by the Hands of the Priests, nor chewed to Pieces by the Teeth of the Faithful.*

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But I consent to the Holy Church of Rome and Apostolick See, and with my Mouth and Heart confess that I hold that Faith concerning the Sacrament of the Lord's Table, which our Lord and venerable Pope Nicholas, and this Holy Synod, by Evangelick and Apostolick Authority, hath delivered to be held and confirmed to me, viz. that the Bread and Wine placed on the Altar, are, after Consecration, not only a Sacrament, but also the true Body and Blood of our Lord Jesus Christ, and is broken sensibly, not only sacramentally, but in Truth, by the Hands of the Priests, and chewed by the Teeth of the Faithful, swearing by the Holy and Consubstantial Trinity, and by these most Holy Gospels of Christ. And as to those, who shall go contrary to this Faith, I pronounce them, with their Opinions and Followers, worthy of eternal Damnation. And if I myself shall at any time presume to think, or preach, any Thing contrary to this, I subject myself to the Severity of the Canons. I have voluntarily subscribed to this, being read over and through.

The Abjuration of Jerom of Prague is longer. I Jerom of Prague, Master of the Liberal Arts, acknowledging the true Catholick Church and Apostolick Faith, do anathematise every Herefy, and especially that for which I have hitherto been defamed, and which in former Times John Wycleff and John Hufs have dogmatized, and held in their Works, Books, or Sermons to the Clergy and People, for which Reason the aforesaid Persons, with their Opinions and Errors, have been condemned as Hereticks by this Synod of Constance, and their aforesaid Doctrine sentimentally damned, especially in some Articles expressed in the Sentences pronounced against them by this Holy Council. I consent also to the Holy Church of Rome, and the Apostolick See, and this Holy Council, and with my Mouth and Heart profess it, in and concerning all Things, and especially concerning the Keys, Sacraments, Orders, Offices, and Ecclesiastical Censures, Indulgencies, and Relicks of Saints, and Ecclesiastical Liberty, as also concerning the Ceremonies, and all other Things pertaining to the Christian Religion, even as the Church of Rome and Apostolick See, and this Holy Council profess; and particularly that most of the aforesaid Articles are notoriously heretical, and long since condemned by the Holy Fathers; some of them blasphemous, others erroneous, others scandalous, some of them offensive to pious Ears, and others of them rash and seditious; and the aforesaid Articles have been lately condemned as such by this Holy Council, and it hath been forbidden all and singular Catholicks, under Penalty of an Anathema, ever for the future to presume to preach, dogmatize, or to hold the said Articles, or any one of them.

After

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After these Things follows a long Abjuration of a certain triangular Figure used by him, and called the Shield of Faith, and then he goes on. *Besides, that it may appear to all what were the Reasons why I have been reputed to adhere to, and favour the said late John Hus, I notify by these Presents, that whereas I had often heard him in his Preachings and Schools, I believed him to be a good Man, and to go in nothing contrary to the Traditions of our Holy Mother Church and the holy Doctors; yea, as there were certain Articles lately offered to me in this City, laid down by him, and condemned by this Holy Council, I did not at first View believe them to be his, at least in that Form: And when I had heard it affirmed by several famous Doctors and Masters in Divinity, that they were his, I desired, for my full Information, that they would shew me the Books of his own Hand-writing, in which the said Articles are said to be contained, which being shewn to me written with his own proper Hand, which I know as well as my own, I found all and singular the said Articles were written by him in that Form in which they were condemned. From whence I have found, and do find, that he and his Doctrine, with their Followers, have been deservedly condemned and rejected as heretical and mad, by the Holy Council. And all these Things aforesaid I affirm purely, and without any Reserve, as one who is now fully and sufficiently informed of the aforesaid Sentences pronounced by this Holy Council against the Doctrines of the said late John Wycleff and John Hus, and against their Persons; to which Sentences I do, as a devoted Catholick, in and concerning all Things, humbly consent and adhere.*

After this he abjured the Opinion, that Faith was to take Place even in the future Life, and concludes thus: *Moreover, I swear both by the Holy Trinity, and by these most Holy Gospels, that I will always, and without Doubt, remain in the Truth of the Catholick Church, and pronounce all those who shall oppose this Faith, together with their Opinions, worthy of eternal Damnation. And if I myself shall at any time, which God forbid, presume to think or preach any Thing to the contrary, I subject myself to the Severity of the Canons, and shall be found obnoxious to eternal Punishment. And this Confession and Writing of my own Profession, I do voluntarily offer to this Holy General Council, and have subscribed the same with my own proper Hand, and have written all these Things. This Abjuration was made September 15, 1415.*

Jerom of Prague seems to have been terrified by the Condemnation of John Hus, and to have fallen thro' the Infirmary of human Nature. But afterwards he took Courage, and with great Resolution revoked his Abjuration

Abjuration in the Synod, and was, May 30. 1416. pronounced, declared, and condemned, by the Council of *Constance* as an Heretick, and relapsed into Heresy, excommunicated, and anathematized, and as such deliver'd over to the Secular Arm: and being brought to the Stake, he suffer'd Death, and endured the severest Torments of the Fire, with a truly heroick Mind.

And in this Manner all Persons are forced to abjure, which the Church of *Rome* pronounces Hereticks, unless they are willing to be delivered over as impenitent Hereticks to the Secular Arm or Court, but especially Doctors, whom they call Dogmatists, Dogmatifers, and Arch-Hereticks. *Bzovius*, under the Year 1479. Sect. 9. gives us a famous Instance which happened in *Spain*. *Peter de Osma*, who read Theological Lectures at *Salamanca*, had publish'd a Book, in which were several Things contained contrary to the Doctrines of the Church of *Rome*. The Archbishop of *Toledo*, then at *Alcala de Henarez*, where he generally resided, did, by Command of Pope *Sixtus*, after having consulted the most Learned Men, and well considered the Matter for a long while, condemn his Opinions, and put the Author himself under the Infamy of an *Anathema*, unless he changed his Sentiments. The Sentence was pronounced June 23. Pope *Sixtus* confirmed the Sentence of the Archbishop by a Bull, and commanded him, that he should not omit to proceed against the Followers of *Peter de Osma*, as Hereticks, if they should refuse, or wickedly defer to abjure the Heresy they are fallen into, or to imitate the said *Peter* in abjuring his Errors and repenting, as they had imitated him in his Error.

C H A P. XXIV.

Of the Punishment and wholesome Penances enjoined such as abjure.

SUCH who abjure, and after Abjuration are reconciled to the Church, are enjoined various Punishments, and, as they call them, wholesome Penances.

Priests and others of the Clergy are not usually enjoined publick Penance, both because of the Dignity of their Order, and that the Flock of the Faithful may not be offended. But altho' this is to be observed

in smaller Crimes, yet in more heinous ones the Priests are to be compelled to undergo publick Penance, and the rather in the Crime of Heresy, because such Offences in Priests are more heinous than in the Laity. And not only Clergymen and Presbyters are obliged to this publick Penance, but also Bishops, Cardinals, and others, howsoever dignified; because all Men are upon an equal Foot in Matters pertaining to the Orthodox Faith. Add to this, that heretical Clergymen, returning to the Church, are, after Injunction of Penance, to be deposed, at least by a verbal Degradation, by which they are suspended from the Exercise of their Orders: But of this hereafter.

Carena observes, particularly concerning Regulars, that when they fall into Crimes relating to this Tribunal, they are usually punished with some peculiar Punishments. These are the Privation of active and passive Votes, of the Office of Preaching, and of hearing Confessions, especially those of Women; that the Sentence of the Inquisitors must be read twice a Year in a Chapter of the Religious, and Presence of the Criminal, that they take the last Place in the Choir and Refectory, that they must be whipped by their Religious in a Chapter and Presence of the Notary of the Holy Office, and others. But *Carena* adds, these Punishments are to be enjoined with great Moderation, Regard being always had to the Heinousness of the Offence, and the Quality of the Offender; but yet in such a Manner, as that the Inquisitors ought to know, that such Punishments are not imposed only on soliciting Confessors, but even upon the Religious who offend otherwise. Hence it happened some Years ago in our Congregation at *Cremona*, by Order of the Sacred Congregation, that a certain Regular, who had rashly incurred the Constitutions of *Paul V.* and *Gregory XV.* published upon the Affair of the Conception, was condemned publicly to revoke some Propositions that were rash, scandalous, and offensive to pious Ears, in the same Place where he had preached them; and was farther deprived of his active and passive Vote, and the Office of Preaching and Lecturing, together with other wholesome Penances. Thus also in a solemn Act of the Faith, celebrated in the Kingdom of *Sicily*, Friar *Marcellus de Pratis*, a Religious of the Order of the Minors, was condemned by that most illustrious Tribunal, because he had rashly feigned himself a Saint, impeccable, confirmed in Grace, and had pronounced other scandalous and rash Propositions, to the Gallies for three Years, to be banished for two more into such a Convent of his own Religion as should be assigned him, with this Addition, that he should fast every Friday on Bread and Water,

eat upon the Ground in the Refectory, walk without his Hat, and sit in the lowest Place in the Choir and Refectory, and be perpetually deprived of his active and passive Vote, and of the Faculty of hearing any Person's Confessions whatsoever.

Lewis a Paramo gives us another remarkable Instance of one *Mary* of the Annunciation, Prioress of the Monastery of the Annunciation at *Lisbon*, a Maid of 32 Years old, who had pretended that the Wounds of Christ, by the special Grace and Privilege of God, were imprinted on her, and shewed 32 Wounds made on her Head, representing the Marks of those which were made by our Saviour's Crown of Thorns, and Blood sprinkled on her Hands like a Rose, the Middle of which was like a Triangle, and shewed the Holes of the Nails narrower on one Side than the other: The same were to be seen in her Feet. Her Side appeared as tho' it had been laid open by the Blow of a Lance. When all these Things were openly shewn, it was wonderful to see how they raised the Admiration and Devotion of serious and holy Men, and withal surprized and deceived them; for she did not suffer those pretended Wounds to be seen otherwise than by Command of her Confessor. And that absent Persons might have a great Veneration for her, she affirmed, that on *Thursdays* she put into the Wounds a small Cloth, which received the Impression of five Wounds in Form of a Cross, that in the Middle being the largest. Upon which these Cloths were sent, with the greatest Veneration, thro' the infinite Devotion of the Faithful, to the Pope, and to almost all the most venerable and religious Persons of the whole World. And as *Paramus* then had the Administration of the Causes of Faith in the Kingdom of *Sicily*, he saw several of those Cloths, and the Picture of that Woman drawn to the Life, and a Book written by a Person of great Authority concerning her Life, Sanctity, and Miracles. Yea, Pope *Gregory XIII.* himself determined to write Letters to that wretched Creature, to exhort her thereby to persist with Constancy in her Course, and to perfect what she had begun. At last the Imposture was found out, that the Marks of the Wounds were not real, but made with red Lead; and that the Woman's Design was, when she had gained Authority and Credit enough, by her pretended Sanctity, to recover the Kingdom of *Portugal* to its former State, which had legally fallen under the Power of *Philip II.* Upon this, the following Sentence was pronounced against her by the Inquisitors of *Lisbon*, Decemb. 8. Anno 1588. First, she was commanded to pass the rest of her Life shut up in a Convent of another Order, that was assigned to her, without the City of *Lisbon*.

Likewise, that from the Day of pronouncing the Sentence, she should not receive the Sacrament of the Eucharist for the Space of five Years, three *Easters*, and the Hour of Death excepted, or unless it were necessary to obtain any Jubilee, that should in the mean while be granted by the Pope. Likewise, that on all *Wednesdays* and *Fridays* of the whole Year, when the religious Women of that Convent held a Chapter, she should be whipped whilst the Psalm, *Have Mercy on me, O God*, was reciting. Likewise, that she should not sit down at Table at the Time of Refreshment, but should eat publickly on the Pavement, all being forbidden to eat any thing she left. She was also obliged to throw herself down at the Door of the Refectory, that the Nuns might tread on her as they came in, and went out. Likewise, that she should perpetually observe the Ecclesiastical Fast, and never more be created an Abbess, nor be chosen to any other Office in the Convent where she had dwelt, and that she should be always subject to the lowest of them all. Likewise, that she should never be allowed to converse with any Nun without Leave of the Abbess. Likewise, that all the Rags marked with Drops of Blood, which she had given out, her spurious Relicks, and her Effigies describing her, should be every where delivered to the Holy Inquisition; or if in any Place there was no Tribunal of the Inquisition, to the Prelate, or any other Person appointed. Likewise, that she should never cover her Head with the sacred Veil, and that every *Wednesday* and *Friday* of the whole Year she should abstain from Meat, and live only on Bread and Water, and that as often as she came into the Refectory, she should pronounce her Crime with a loud Voice in the Presence of all the Nuns.

He tells us in the same Place, that *Michael Piedrola* took upon himself for many Years the Name of a Prophet, boasted of Dreams and Revelations, and affirmed they were revealed to him by a Divine Voice. Being convicted of so great a Crime, he abjured *de levi*, was for ever forbid the reading of the Bible, and other Holy Books, deprived of Paper and Ink, prohibited from writing or receiving Letters, unless such only as related to his private Affairs, denied the Liberty of disputing about the Holy Scripture, as well in Writing as in Discourse, and finally, commanded to be thrown into Prison, and there pass the Remainder of his Life.

The common Punishment of Hereticks is the Confiscation of all their Effects; for altho' this Confiscation is kindly remitted to those who come of their own accord, and voluntarily confess before they are accused, yet

this

this Favour is never granted in *Spain*, to those who at length confess after they are accused and thrown into Prison, or who persist in their Opinion. And this Confiscation is made with such Rigour, that the Inquisition orders the Exchequer to seize on not only the Effects of the Persons condemned, but also all others administered by them, altho' it evidently appears that they belong to others. The Inquisition at *Seville* gives a remarkable Instance of this Kind, which *Gonsalvius* gives us a long Account of, with all its Circumstances.

" *Nicholas Barton*, an *Englishman*, a Person remarkable for his Piety,
 " was apprehended by the Inquisition of *Seville*, and afterwards burnt
 " for his immoveable Perseverance in the Confession of his Faith, and
 " Detestation of their Impiety. When he was first seized, all his Ef-
 " fects and Merchandises, upon account of which he came to *Spain*,
 " were, according to the Custom of the Inquisition, sequestred. Amongst
 " these were many other Merchandises which were consigned to him as
 " Factor, according to the Custom of Merchants, by another *English*
 " Merchant dwelling in *London*. This Merchant, upon hearing that
 " his Factor was imprisoned, and his Effects seized on, sent one *John*
 " *Frontom*, as his Attorney, into *Spain*, with proper Instruments, to re-
 " cover his Goods. His Attorney accordingly went to *Seville*, and hav-
 " ing laid before the Holy Tribunal the Instruments and all other ne-
 " cessary Writings, demanded that the Goods should be delivered to him.
 " The Lords answered, that the Affair must be managed in Writing,
 " and that he must chuse himself an Advocate, undoubtedly to prolong
 " the Suit, and out of their great Goodness appointed him one, to
 " draw up for him his Petitions, and all other Instruments, which were
 " to be offer'd to the Holy Tribunal, for every one of which they ex-
 " orbitantly took from him eight Reals, altho' he received no more Ad-
 " vantage from them, than if they had never been drawn at all. *Frontom*
 " waited for three or four whole Months, twice every Day, viz. in
 " the Morning and after Dinner, at the Gates of the Inquisitor's Pa-
 " lace, praying and beseeching, on his bended Knees, the Lords Inqui-
 " sitors, that his Affair might be expedited, and especially the Lord
 " Bishop of *Tarraco*, who was then chief Inquisitor at *Seville*, that he
 " in virtue of his Supreme Authority would command his Effects to be
 " restored to him. But the Prey was too large and rich to be easily re-
 " covered. After he had spent four whole Months in fruitless Prayers
 " and Entreaties, he was answered, that there was need of some other
 " Writings from *England*, more ample than those he had brought be-
 " fore,

fore, in order to the Recovery of the Effects. Upon this the *English-*
man immediately returns to *London*, and procures the Instruments of
 fuller Credit which they demanded, comes back with them to *Seville*,
 and laid them before the Holy Tribunal. The Lords put off his An-
 swer, pretending they were hindered by more important Affairs. They
 repeated this Answer to him every Day, and so put him off for four
 whole Months longer. When his Money was almost spent, and he
 still continued earnestly to press the Dispatch of his Affair, they re-
 ferred him to the Bishop. The Bishop, when consulted, said he was
 but one, and that the expediting the Matter, belonged also to the
 other Inquisitors; and by thus shifting the Fault from one to the
 other, there was no Appearance of an End of the Suit. But at length
 being overcome by his Importunity, they fixed on a certain Day to
 dispatch him. And the Dispatch was this: The Licentiate *Gascus*, one
 of the Inquisitors, a Man well skilled in the Frauds of the Inquisition,
 commands him to come to him after Dinner. The *Englishman* was
 pleased with this Message, and went to him about Evening, believing
 that they began to think in good Earnest of restoring him his Effects;
 and carrying him to Mr. *Burton* the Prisoner, in order to make up
 the Account, having heard the Inquisitors often say, tho' he did not
 know their real Meaning, that it was necessary that he and the Prisoner
 should confer together, when he came, they commanded the Prison
 Keeper to clap him up in such a particular Prison, which they named
 to him. The poor *Englishman* believed at first, that he was to be
 brought to *Burton* to settle the Account, but soon found himself a Pri-
 soner in a dark Dungeon, contrary to his Expectation, and that he had
 quite mistaken the Matter. After three or four Days they brought him
 to an Audience; and when the *Englishman* demanded that the Inqui-
 sitors should restore his Effects to him, they well knowing that it would
 agree perfectly with their usual Arts, without any other Preface, com-
 manded him to recite his *Ave-Maria*. He simply repeated it after this
 manner: *Hail, Mary, full of Grace, the Lord is with thee, blessed art*
thou amongst Women, and blessed is Jesus, the Fruit of thy Womb, Amen.
 All was taken down in Writing, and without mentioning a Word about
 the restoring his Effects, for there was no need of it, they commanded
 him back to his Prison, and commenced an Action against him for an
 Heretick, because he had not repeated the *Ave-Maria* according to
 the Manner of the Church of *Rome*, and had left off in a suspected
 Place, and ought to have added, *Holy Mary, Mother of God, pray for*

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“us Sinners; by omitting which Conclusion, he plainly discover’d that he did not approve the Intercession of the Saints. And thus at last upon this righteous Pretence he was detained a Prisoner many Days. After this he was brought forth in Procession wearing an Habit, all his Principal’s Goods for which he had been suing being confiscated, and he himself condemned to a Year’s Imprisonment.”

Criminals are not banished only to such Places as are subject to the Jurisdiction of the Inquisitors who banish them, but to other Places also, because all Places are subject to the same chief Pontiff, by whom all the Inquisitors are delegated. To this may be added the Punishment of being thrust into a Monastery, which, tho’ now seldom inflicted, was much more in use formerly. *Bzovius* gives us an Instance of it in the Year 1479. This Year was condemned at *Mayence*, *John Rucard*, of the *Upper Wesel*, D. D. and compelled by the Inquisitor to recant certain Articles which he was reported publickly to have preached at *Worms*. All his Writings were before his Face thrown into the Fire and burnt, and he himself sent to do Penance to the Convent of *Austin* Friars in that Place, where he died in a little while of Grief.

There is also another Punishment of Beating or Whipping, when Criminals are condemned to be whipped with Scourges or Rods. If they are religious Persons, they are whipped in their own Monastery by other Religious, in the Presence of the Notary of the Holy Office. This Punishment, *Paramus* being Witness, *Laurentius Valla* suffered, who being condemned for Heresy at *Naples*, was preserved from the Fire by the King’s Favour, but upon this Condition, that after he had publickly recanted, and damned the Things he had uttered, he should atone for his Crimes by Whipping. And accordingly, in the Convent of the Predicants, being led round the Cloisters with his Hands tied, he was whipped upon his Shoulders and Back, by the Religious of the House.

Sometimes however it happens, that the Inquisitors do, either thro’ Imprudence or Inadvertence, offend against this Admonition of *Zanchinus*, as may be collected from an Instance related by *Gonsalvius*. In the Inquisition at *Seville*, they proceeded by an Inquisitory Censure against a certain Citizen, upon account of Religion. Amongst other Parts of his Punishment, he forfeited all his Effects and Incomes, on which he had lived creditably enough before, and was ordered to be confined in a certain private Prison, for ten Years, being thus stripped of all he had. After he had been some Days in the Prison, in which, being reduced to extreme Poverty, tho’ otherwise far from being in mean Circumstances,

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cumstances, he was supported by the Contributions of some pious Persons, one of the Notaries of the Inquisition comes to him, and brings him a Command in Writing from the Holy Tribunal, by which he was ordered to pay the Sum of 130 Ducats for his Expences and Provision during his Imprisonment in the Inquisition. The Answer he returned to the Order was, that it was true, that having been plundered and stripped entirely of all his Effects, by these self-same Fathers of the Faith, he had nothing left to pay that Money. This Answer did not satisfy their Lordships, who sent the Notary to him a second time, commanding him to pay, within a few Days, the Money they had demanded, or that otherwise they would take him out of his private Prison, and throw him into the publick Prison of the City. Unthinking Creatures, who did not take Care to pay themselves their own Expences, before they brought the Man's Effects into the Exchequer.

However, Fines are not exacted for all Sorts of Crimes, but for some particular Kind of them only. For the Popish Doctors observe, that those who offend concerning the Faith, may two ways offend the Church. First, By only believing amiss, and also by publishing Heresies. Secondly, When besides their ill Belief, they have added other Crimes, viz. if they have burnt Churches, destroyed Images, killed Catholicks, or committed the like Things. If they offend in the first Manner, and are returned, the Inquisitor may, if he will, before they are absolved from Excommunication, exact from the Person returning, not only an Oath of obeying the Commands of the Church, but also Security and Bail, under Penalty of a Fine of obeying such Commands, and exact such Penalty if he doth not obey. 'Tis however more honourable, not to take such Security, under Penalty of a Fine, that they may not appear to do any thing rather out of Covetousness than the Love of Religion, as the Council of Narbonne hath advised, *cap. 17. You must abstain from, and forbear, such pecuniary Penances and Exactions, because of the Honour of your Order.* If they have offended in the second Manner, they are not, according to the Rigour of the Law, to be received and absolved, before they have made good and repaired the Damage out of their own Estates. If they can't immediately give Satisfaction for the Damage they have done, either thro' Poverty or other Causes, they are to be absolved, upon giving proper Security, viz. by laying something down as a Pledge, or giving Sureties to make Satisfaction when they are able, or when they shall come to a larger Estate. 'Tis also now a Custom observed by all the Inquisitors,

though

though it be provided for by no Law, gently to strike with a Rod such as return when they absolve them.

Such Persons also are excluded from all publick Offices as infamous. These publick Offices are, Offices of all Sorts, and of every Name, according to the various Rites and Customs of different Provinces. The Council of *Thoulouse* reckons even the Office of a Physician amongst them. Cap. 14. *We ordain also, that whosoever shall be defamed for Heresy, or marked as suspected, shall no longer be allowed the Profession of a Physician.*

Farther also, Penitents, and those reconciled, returning from Heresy to the Church, and the Children and Grandchildren of condemned Persons, are not only excluded from bearing publick Offices, or having Benefices and Dignities, but from using Silver, Gold, or precious Garments and Ornaments, according to the Council of *Biterre*. 'Tis also forbidden them to ride on Horses with Trappings, as Nobles do, which Prohibition extends also to Mules. But in these Cases they allow a Dispensation after some Time.

But the most usual Punishment of all is, their wearing Crosses upon their penitential Garments, which was not only formerly in Use, but is now frequently enjoined Penitents in *Spain* and *Portugal*. And this is far from being a small Punishment. Because such Persons are exposed to the Scoffs and Insults of all, which they are obliged to swallow, tho' the most cruel in themselves, and offered by the vilest of Mankind; for by these Crosses they are marked to all Persons for Heresy, or as it is now in *Spain* and *Portugal* for *Judaism*. And being thus marked, they are avoided by all, and are almost excluded from all human Society. We have an Instance of this in the Book of Sentences of the *Thoulouse* Inquisition, in one *Arnald Ysarni of Villemaur*, who had thrown off his Crosses, and being afterwards again apprehended, gave this Reason for doing it before the Inquisitor: *Because by wearing his Crosses, he could find no Persons and Place, where he could get his Living; and that therefore he stood for ten Years without them at the Moyflac, and got his Livelihood by going and coming with the Ships to Bourdeaux.*

Their Garment was formerly of a black and bluish Colour, like a Monk's Cloke, made without a Coull, and the Crosses put on them were strait, having one Arm long, and the other a-cross, after this manner †. Sometimes, according to the Heinousness of the Offence, there were two Arms a-cross, after this manner ‡. But now in *Spain* this Garment is of a yellow Colour, and the Crosses put on it are oblique, after the manner

manner of St. *Andrew's* Cross, in this Form X, and are of a red Colour. This Habit was used to be made always, and every where, of Woollen Cloth, but now 'tis made shorter than formerly. For heretofore 'twas full as long as the Monks Clokes, and remained so all the while it was marked with Crosses. For as the Crosses themselves were of three Spans length, it could not be otherwise but that the Sackcloth must be long too. But afterwards, upon account of the Crosses being taken away, and that the Sackcloth might differ from the Monk's Cloke, it was reduced to a shorter Measure. In some Tribunals also of *Spain*, another kind of penitential Garment was in Use. For upon such Criminals as were not convict, but only vehemently suspected of Heresy, they used to put a half penitential Garment, covering the Breast only, which was marked only with one Line, of a red Colour, and not with two cross ones, as the whole Sackcloth used to be marked with, that it might be hereby shewn, that he was not truly and formally an Heretick, but vehemently suspected of Heresy. This Cloke the *Italians* call *Abitello*, the *Spaniards*, *Santo benito*, as tho' it was *Sacto benito*, i. e. the blessed Sackcloth, because it is fit for Penance, by which we are blessed and saved. But *Simancas* says, 'tis the Garment of St. *Benedict*. The wearing it is commanded. They pretend that the Foundation of this Habit is to be found in the Sacred Writings, because those who suffered formerly for their Impieties, were, besides other Penances, sometimes clothed with Sackcloth, in order to implore the Divine Mercy, and to render God propitious whom they had offended, as they shew in the Example of *Achab*, 1 Kings xxi. 27.

But *Ludovicus a Paramo* carries its Original higher, viz. that as God cloth'd our first Parents with Garments of Skins, in Token of Confusion and perpetual Shame, so the Inquisitors, at this Day, in Imitation of God, clothe such as are convicted of Heresy, with these blessed Sackcloths, with oblique Crosses on them, to the proper Ignominy and Confusion of those who wear them. And he gives this Reason why these ignominious Garments are called *blessed Sackcloths*; Because formerly Sinners were clothed with blessed Sackcloths, in Token of publick Penance, and was taken upon a voluntary Vow by the Penitents themselves. But this Custom, in Process of Time, came into Disuse; and because antiently these Sackcloths were blessed in the Primitive Church, therefore they were called *blessed Sackcloths*. And therefore the Inquisition, in Detestation of the Crime of Heresy, hath renewed the Custom of publick Penance and blessed Sackcloth. He gives also a very ridiculous Reason, why the Crosses, which were formerly straight, are now made oblique,

oblique, upon the penitential Garments. *Because the Cross is the external Sign, by which all the Worshipers of Christ profess the Catholick Faith. Since therefore they who offend against the Catholick Faith, deviate from the Rectitude of the Faith, the Inquisitors are used to clothe Penitents with these transverse Marks, in Token of such Deviation, that it may appear to all by the Figure of the oblique Cross, what is the inward State of him that wears it, what he hath been, and how he hath wandered from the Rectitude of the Faith, and of the Christian Religion.*

These Crosses are put on those who have believed Heresies, and sometimes on those who have been Dogmatizers, but who immediately, upon their being found out and informed against before the Bishops and Inquisitors, depart from their Errors, and consent to abjure them. Such are more gently dealt with, and 'tis easier to have a Dispensation as to their Penance. For either they are to wear their Crosses only for a Time, or if they are enjoined them for their whole Life, after they have worn them for some Years, in another Sermon or Act of Faith, they leave them off again; or if they are in an ill State of Health, or if the Penitent be remarkably humble, and truly converted. But such a Dispensation is the more difficultly obtained, because the publick wearing these Crosses may make great Satisfaction in Behalf of those who carry them, yea, it may be greatly meritorious in them, because of the great Degree of Shame which such Persons endure, and may be, and is, a considerable Warning to others.

He who throws off, or conceals this Garment, is to be punished as an Impenitent. Nor can the Inquisitors themselves, now in Spain, moderate the Time which they have fixed for the wearing it; both because their Office is discharged after they have pronounced from the Tribunal, and because this Matter is reserved to the Inquisitor-General and Council.

This Habit of the Penitents, and Sackcloth of condemned Hereticks, is to be hung up in the Church of that Parish where they dwelt, that these sort of Ensigns may be a Monument to keep up the everlasting Remembrance of their Impiety; for the Names of the Hereticks, and the Reasons of their Condemnation, are to be inscribed and renewed on them. *Madrid Instruction, Anno 1561. c. 81. viz. after the Example of Moses, who made broad Plates for a Covering of the Altar, of the Censers of the two hundred and fifty Men who had offered Incense to the Lord, that they might be a Memorial and a Sign to the Children of Israel, Numb. xvi. 39, 40. If any one steals these Ensigns, 'tis the common Opinion, that he*

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is to be punished at the Pleasure of the Judges, not as a Thief or sacrilegious Person, but as a Contemner of Religion and the Judges, and must therefore be whipped, or fined, or banished.

Finally, the most grievous Punishment is the being condemned to perpetual Imprisonment, there to do wholesome Penance with the Bread of Grief, and the Water of Affliction. This is usually enjoined on the Believers of Hereticks, and such as are difficultly brought to Repentance, or who have a long while denied the Truth during the Trial, or have perjured themselves. For because such Persons do not seem to be voluntarily and willingly converted, they will not allow them their Liberty, lest being feignedly converted, as may be easily presumed, they should corrupt others. There is a Decree of the Council of *Thoulouse* on this Affair, cap. 10. *But as to those Hereticks, who thro' Fear of Death, or any other Cause, but not voluntarily, return to the Catholick Unity, let them be shut up in Prison to do Penance, by the Bishop of the Place, with such Caution, as that it may not be in their Power to corrupt others. And the Council of Riterre. If any one of the Professed, or Consolati, will, thro' Fear of Punishment, return to the Faith, let him be committed to perpetual Imprisonment by the Bishop, lest under the Shew of pretended Good the Church should be deceived. Thus also the Emperor Frederick. Nor are those only who are very difficultly converted from Heresy, condemned to perpetual Imprisonment, but also certain other Persons, whose Crimes committed in the Cause of Faith are very remarkable, which the Council of Narbonne, held a few Years after that of Thoulouse, particularly enumerates, in these Words, cap. 9. But as to Hereticks, or their Believers, who have notwithstanding the aforesaid Immunity, suppressed the Truth concerning themselves or others, or have not come in within the Time of Grace, or who are otherwise unworthy, but yet are ready absolutely to obey the Commands of the Church, and to acknowledge that Truth which they have suppressed or denied, altho' such are, without Doubt, according to the Statutes of our Lord the Pope, to be thrust into perpetual Imprisonment; yet in as much as we have understood, that you have found in several Parts so great a Multitude of them, as that there is not only not Money enough, but neither Stones nor Mortar sufficient to build Prisons for them, our Advice is, that you defer their Imprisonment as you think it convenient, till our Lord the Pope himself be more fully advised concerning their Number, except possibly any of them should be so very wicked, as that there is too much Reason to fear that they will be impenitent, or escape, or relapse, or corrupt and disturb others. Such Persons are to be sent, without further Delay,*

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Delay, to a secure and perpetual Prison. In our Times this ancient Confinement or perpetual Imprisonment, is seldom or never used ; but the Bishops and Inquisitors often change it for a Confinement in some Monastery.

But altho' in our Ages the perpetual Prison is not made after the same Manner in which it was formerly built, yet *Pegna* is of Opinion, that some certain House ought to be procured, and made use of as a perpetual Prison, in which those who are to be shut up, should dwell ; because otherwise he can't understand how Penitents can perform the Penances enjoined them.

However, the Inquisitors with the Ordinaries have now a Power of dispensing, excepting only that it is denied to the Inquisitors in *Spain*, by the private Sanctions of that Inquisition ; so that the Inquisitor-General only dispenses in this Case, even as he doth also with respect to the Habit marked with Crosses. After how long a Time this Dispensation may be allowed, is left to the Pleasure of the Inquisitors, who, upon considering the Humility and Repentance of the Penitents, may remit this Punishment within a lesser while, or commute it for another. But 'tis generally remitted at the Expiration of three Years. But if this Punishment of the Prison is enjoined never to be remitted, 'tis generally dispensed with at the End of eight Years. But the whole of this depends on the Inquisitors Pleasure.

These Remissions may also be obtained with Money, by which Persons may redeem themselves from Prison, and the Habits of their Guilt ; and this Method of Redemption used to be very common in *Spain* ; because, as the King granted certain Redemptions of these *Sambenito's* to the Court young Ladies and Gentlemen, he who received the Grant, diligently enquires where, and who the Persons are that are subject to this Punishment, and who are most enclined and able to redeem it, with whom he afterwards agrees about the Price, as he best can, either for more or less, taking into the Account the Person that buys it off, and the *Sambenito* itself. Such as are irremissible, the Price is dearer ; such as are ordered to perpetual Imprisonment, 'tis cheaper. Such which are but for a Time, and depending on the Inquisitor's Pleasure, cheaper yet ; and such which depend on the Inquisitor's Pleasure-only, cheapest of all. The King also sometimes shew'd the same Liberality to some others, who prayed to be assisted with the Money arising from these *Sambenito's*, to redeem their Brethren or Kindred from *Turkish* or *Moorish* Captivity. But if any one desires thus to be freed from his *Sambenito*, 'tis necessary before all Things, in order to obtain his Desire from the King, that he
before--

before-hand secure the good Will of the Inquisitors and Secretaries. For otherwise; tho' the King himself should grant it, and the Money be paid down, they would use all their Endeavours to frustrate it, and would cunningly and maliciously throw in effectual Obstacles, even by this single Expression, *viz.* that the King ought to be better informed of the Affair, and even the Pope himself, if he should have happened to grant the Absolution. And if the Matter should come thus far, it would be easy for them, before not over-scrupulous, to invent this Answer, that the Person was not so thoroughly purged from his Guilt, as to render it safe for him to be set at Liberty.

Besides this Condemnation to perpetual Imprisonment, such Persons are also enjoined other Penances, *viz.* Sometimes to stand in the Habit marked with the Cross at the Door of such a Church, such a Time, and so long, *viz.* on the four principal Festivals of the glorious Virgin Mary of such a Church, or on such and such Festivals, at the Gates of such and such Churches. Concerning this there is a Decree extant of the Council of *Biterre*; where, after commanding that Penitents should be present at Divine Service on *Sundays* and Festivals, this is added: *That on the Mass of every Sunday and Festival, between the Epistle and the Gospel, they shall publicly present themselves with Rods in their Hands, stripped of their outward Garment, and with their Veil or Hat off, to the Priest celebrating Mass in the Presence of the People, and there, after having received Discipline, the Priest shall declare, that they suffer this Discipline for heretical Pravity.* Sometimes before they are shut up in Prison, they are publicly exposed, *viz.* being clothed with the Habit of the Crosses, they are placed upon an high Ladder in the Gate of some Church, that they may be plainly seen by all, where they must stand till Dinner-time, after which they must be carried, clothed in the same Habit, to the same Place, at the first Ringing to Vespers, and there stand till Sun-set; and these Spectacles are usually repeated on several *Sundays* and Festivals in several Churches, which are particularly specified in their Sentence. However, there is no mention made in the Book of the Sentences of the *Thoulouse* Inquisition, of such a Spectacle, on the account of Heresy, but of two only who were condemned for false Witness. But if they break Prison, or do not otherwise fulfil the Penances enjoined them, they are condemned as Impenitents, and as under the Guilt of their former Crimes; and if they fall again into the Hands of the Inquisitors, they are delivered over as Impenitents to the Secular Court, unless they humbly ask Pardon, and profess that they will obey

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obey the Commands of the Inquisitors. Thus 'tis determined by the Council of Thoulouse: *Let all such Hereticks or Believers of them, who, after they have sworn to obey the Commands of the Church, and either have, or have not, obtained the Benefit of Absolution, refusing to observe and do the Penance of Imprisonment enjoined them, either by not going into Prison, or getting out of it after their Entrance, or any other Penance whatsoever, or thro' Contumacy, absenting themselves from receiving it, thus become Rebels, and thus openly manifest their Impenitency and feigned Conversion, be left by you, without any farther Audience at all, to the Secular Judgment, to be punished according to their Desert, since 'tis sufficient that they have once deceived the Church by a false Conversion.*

They are now also condemned to the Punishment of the Gallies, because the ancient Practice of Immuration is at this Time seldom used. This is confirmed by *Royas*. It was a Custom very frequent and usual in the Court of the Inquisition, that a Person condemned to a perpetual Prison, should be dispensed with by the Inquisitor-General, after three Years. But that if any one was condemned to perpetual and unredeemable Imprisonment, if he appeared humble and truly penitent, he should be dispensed with after eight Years. But now instead of perpetual Imprisonment, Hereticks are condemned to the Gallies, provided they are not weak or aged. Such Condemnation must not be for less than three Years, lest the Exchequer should receive more Damage than Benefit by the Expences. Thus the Supreme and General Council of the Inquisition hath decreed. These are the Punishments of Penitents.

Others will not depart from their Errors, but obstinately persist in them for a while, and at length perhaps more thro' Fear of Death, than the Love of Truth, depart from them, or pretend to do it, and abjure; and therefore they don't give much Credit to their Abjurations. Such are ordinarily condemned to perpetual and strict Imprisonment, and to Iron Fetters and Chains, where they are daily allowed the Bread of Grief for Meat, and the Water of Affliction for their Drink. To this Purpose is the Decree of the Council of Biterre. *Take Care however, that according to the Appointment of the Apostolick See, separate and secret Cells be appointed to such as are to be immured, as it can be conveniently done in the several Cities of the corrupted Dioceses, that they may neither be able to pervert themselves or others.*

The Inquisitors may also encrease these Penances, if the converted Persons want Devotion, or are malicious and quarrellsome, because these

Things

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Things shew that their Mind and Soul is far from being obedient to the Law of God, or the Commands enjoined them.

When and how far any one is to be admitted to Penance.

'Tis a very important and difficult Question amongst the Popish Doctors, and very intricate, at what Time, and how, penitent Hereticks are to be admitted.

By comparing Opinions together, it appears, that they are all of this Mind, that in order to any one's being admitted to Repentance, he must manifest it before Sentence is pronounced. They especially require that he signify it before Sentence given, or at least before Publication of it. But if he remains Impenitent, he is persuaded not only before he is brought out in Proceſſion, but even on the very Scaffold, and oftentimes, and most earnestly, admoniſhed to forſake his Errors and abjure. The Method of doing it is this. The Sentences of the Penitents and Converts, if any ſuch there be, are read firſt, and laſt of all thoſe of the Impenitents, if there are any. But before the pronouncing of them, they are admoniſhed before all the People to repent, and at length to be converted, becauſe there is yet room for Mercy. If they ſay they will be converted, they are carried back to Priſon, and admitted to Penance. If they perſevere obſtinate and impenitent, the Sentence is read, and they are delivered to the Secular Court, that being burnt in Sight of the People, they may ſuffer the Punishments due to their Impenitency. But however, as to thoſe who do not convert themſelves till they are actually on the Scaffold, and the Sentence is going to be pronounced, the *Madrid* Inſtruction, *Anno* 1561. *cap.* 44. adviſes, that they are not to be admitted to Penance, but upon the moſt extraordinary Conſiderations; becauſe they appear to be converted rather thro' Fear of inſtant Death, than the Love of true Repentance.

'Tis certainly the Opinion of *Eymerick*, that even ſuch ought to be admitted to Repentance. But *Pegna*, tho' he thinks this Opinion of *Eymerick* to be the ſafer, yet determines that to be the more juſt, which leaves to Criminals room for Mercy only, till they are brought from the Priſons of the Inquiſitors; and that after this they are by no Means to be heard. *Zanchinus Ugolinus* ſaith, that ſuch a one is ſo far to be received, as that he may eſcape the Punishments of the Soul, i. e. the Punishments of Hell; and therefore may be admitted to the Eccleſiaſtical



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Things shew that their Mind and Soul is far from being obedient to the Law of God, or the Commands enjoined them.

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By comparing Opinions together, it appears, that they are all of this Mind, that in order to any one's being admitted to Repentance, he must manifest it before Sentence is pronounced. They especially require that he signify it before Sentence given, or at least before Publication of it. But if he remains Impenitent, he is persuaded not only before he is brought out in Procession, but even on the very Scaffold, and oftentimes, and most earnestly, admonished to forsake his Errors and abjure. The Method of doing it is this. The Sentences of the Penitents and Converts, if any such there be, are read first, and last of all those of the Impenitents, if there are any. But before the pronouncing of them, they are admonished before all the People to repent, and at length to be converted, because there is yet room for Mercy. If they say they will be converted, they are carried back to Prison, and admitted to Penance. If they persevere obstinate and impenitent, the Sentence is read, and they are delivered to the Secular Court, that being burnt in Sight of the People, they may suffer the Punishments due to their Impenitency. But however, as to those who do not convert themselves till they are actually on the Scaffold, and the Sentence is going to be pronounced, the *Madrid* Instruction, *Anno* 1561. *cap.* 44. advises, that they are not to be admitted to Penance, but upon the most extraordinary Considerations; because they appear to be converted rather thro' Fear of instant Death, than the Love of true Repentance.

'Tis certainly the Opinion of *Eymerick*, that even such ought to be admitted to Repentance. But *Pegna*, tho' he thinks this Opinion of *Eymerick* to be the safer, yet determines that to be the more just, which leaves to Criminals room for Mercy only, till they are brought from the Prisons of the Inquisitors; and that after this they are by no Means to be heard. *Zanchinus Ugolinus* saith, that such a one is so far to be received, as that he may escape the Punishments of the Soul, i. e. the Punishments of Hell; and therefore may be admitted to the Ecclesiastical



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*A Man condemned to be burnt
but hath escaped by his Confession.*

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cal Sacraments, and absolved from the Excommunication he was under, if he shews Signs of true Repentance; but that he is by no means to be admitted to escape corporal or temporal Punishment, because he came in too late who staid for his Sentence. Others say this is wholly arbitrary, and depends merely on the Pleasure of the Judge, whereas others do not think it at all safe, that the Life of Penitents should depend on the Will of the Judges.

However, after Sentence pronounced, there is no farther Place for Pardon. And yet there is one Instance of *Stephana de Proaudo*, extant in the Book of the Sentences of the *Toulouse* Inquisition, who, being judged an Heretick the Day before, and left as an Heretick to the Secular Court (from whence it appears that it was not then usual for those who were left to the Secular Court to be burnt the same Day on which the Sentence is pronounced, as is now practised in *Spain* and *Portugal*) seeing on the following Day, *viz. Monday*, that the Fire in which she was to be burnt was made ready, said, on that very Day that she was willing to be converted to the Catholick Faith, and to return to the Ecclesiastical Unity. And when 'twas doubted whether she spoke this feignedly or sincerely, or thro' Fear of Death, and was answered, that the Time of Mercy was elapsed, and that she should think of the Salvation of her Soul, and fully discover whatsoever she knew of herself, or others, concerning the Fact of Heresy, which she promised to say and do, and that she would die in the Faith of the Holy Church of *Rome*: Upon this the Inquisitor and Vicars of the Bishop of *Toulouse* called a Council on the following *Tuesday*, and at length it was concluded, that on the following *Sunday* she should confess the Faith of the Church of *Rome*, recant her Errors, and be carried back to Prison, where it would be proved whether her Conversion was real or pretended; and so strictly kept, that she might not be able to infect others with her Errors. *Eymerick* also gives us an Instance at *Barcelona* in *Catalonia*, of three Hereticks impenitent, but not relapsed, who were delivered over to the Secular Arm: And when one of them, who was a Priest, was put in the Fire, and one of his Sides somewhat burnt, he cried to be taken out of it, because he would abjure and repent; and he was taken out accordingly. But he was afterwards found always to have continued in his Heresy, and to have infected many, and would not be converted, and was therefore turn'd over again as impenitent and relapsed, to the Secular Arm, and burnt.

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The Author of the History of the Inquisition at Goa, gives us another Instance of a very rich new Christian, whose Name was *Lewis Pexoa*, who, with his whole Family, had been accused of secret *Judaism*, by some of his Enemies, and who, with his Wife, two Sons and one Daughter, and some other Relations that lived with him, were all thrown into the Prison of the Inquisition. He denied the Crime of which he was accused, and well refuted it, and demanded that the Witnesses who had deposed against him, might be discovered to him, that he might convict them of Falshood: But he could obtain nothing, and was condemned as a Negative, to be delivered over to the Arm of the Secular Court, which Sentence was made known to him fifteen Days before it was pronounced. The Duke of *Cadaval*, an intimate Friend of the Duke of *Aveira*, Inquisitor-General, had made strict Enquiry how his Affair was like to turn. And understanding by the Inquisitor-General, that unless he confessed before his going out of Prison, he could not escape the Fire, because he had been legally convicted, he continued to entreat the Inquisitor-General, till he had obtained a Promise from him, that if he could persuade *Pexoa* to confess, even after Sentence pronounced, and his Proceſſion in the Act of Faith, he should not die, tho' it was contrary to the Laws and Custom of an Act of Faith. Upon that solemn Day therefore, on which the Act of Faith was to be held, he went with some of his own Friends, and some that were *Pexoas*, to the Gate of the Inquisition, to prevail with him, if possible, to confess. He came out in the Proceſſion, wearing the infamous *Samarre*, and on his Head the *Caroch*, or infamous Mitre. His Friends, with many Tears, besought him in the Name of the Duke of *Cadaval*, and by all that was dear to him, that he would preserve his Life, and intimated to him, that if he would confess and repent, the said Duke had obtained his Life from the Inquisitor-General, and would give him more than he had lost. But all in vain, *Pexoa* continually protesting himself innocent, and that the Crime itself was falsely invented by his Enemies who sought his Destruction. When the Proceſſion was ended, and the Act of Faith almost finished, the Sentences of those who were condemned to certain Penalties having been read, and on the Approach of Evening, the Sentences of those who were to be delivered over to the Secular Court being begun to be read, his Friends repeated their Entreaties, by which at last they overcame his Constancy, so that desiring an Audience, and rising up, that he might be heard, he said, *Come, then, let us go and confess the*

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Crimes I am falsely accused of, and thereby gratify the Desires of my Friends. And having confessed his Crime, he was remanded to Prison. Two Years after, he was sent to *Ebora*, and in the Act of Faith walked in Procession wearing the Samarra, on which was painted the Fire inverted, according to the usual Custom of the *Portuguese* Inquisition; and after five Years more that he was detained in the Prison of the Inquisition, he was condemned to the Gallies for five Years.

Finally, *Simancas* proposes and resolves a Question concerning another Case, viz. "Whether an Heretick converted after a definitive Sentence, who says that he will repent, and discover other Hereticks to the Judges, and is upon that Account returned to the Inquisitors by the Secular Judge, and makes a full Confession before them, is to be left again to the said Secular Judge? This Question, in the former Age, was actually debated by the Inquisitors of *Cuenca*, and after the Supreme Judges and skilful Men had been consulted, they unanimously answered, that such a Penitent was not to be left again to the Secular Court; both because he had made a true Confession before the Inquisitors, and therefore ought not to be delivered up by them, and because the Secular Judge seems to renounce his own Right, by delivering to the Inquisitors the Heretick that had been turned over to him." Add to this, that 'tis neither consistent with Goodness nor Equity, that he who is now neither impenitent nor relapsed, should, upon any Account, be delivered over to the Secular Power.

How the PROCESS ends against a relapsed PENITENT.

If the accused Person is found a Relapse by his own Confession, but penitent, professing that he believes in a Catholick Manner, and is willing to return to the Unity of the Church, the Bishop and Inquisitor send to him two or three good Men, and especially Religious, or Clergymen, zealous for the Faith, neither suspected by, nor ungrateful to him, who, upon some convenient Hour go to him, and after discoursing with him in the first Place concerning the Contempt of the World, the Miseries of this present Life, and the Joys and Glories of Paradise, do afterwards, in the Name of the Bishop and Inquisitor, discover to him, that in as much as he is relapsed, he can't escape temporal Death; and that therefore he ought to be careful of the Salvation of his Soul, and prepare himself for the Confession of his Sins, and the Reception of the Sacrament of the Eucharist. And these Admonitions

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they repeat till he hath confessed his Sins, and humbly desires that the Sacrament of the Eucharist may be given him, because the Ecclesiastical Sacraments are not to be denied to a relapsed Penitent, if he humbly desires them, cap. *Super eo de hæret.* lib. 6. After having received these Sacraments, and by this Means being, in their Opinion, rightly prepared for Salvation, the Bishop and Inquisitor order the Bailiff of the Place, or the Chief Magistrate of the Secular Court, to be ready with his Attendants such a Day or Hour, in such a Street or Place, to receive from their Court such a Relapse, which they will deliver to him; and that on the same Day, or the Day before, he shall make Proclamation by the Crier throughout the City, in all the usual Places and Streets, that on such a Day, Hour and Place, the Inquisitor will make a Sermon for the Faith, and that he and the Bishop will then condemn a certain Relapse, by delivering him over to the Secular Court.

Here they differ, whether a condemned Person may be delivered over to the Secular Court on *Sunday*, or a Holiday. In many Cities of *Europe* 'tis a Custom, that the Inquisitors do not deliver over to the Secular Court Relapses, or Impenitents, on a Holiday, but on some other; and therefore the Criminal, two or three Days before he is burnt, is removed from the Houses or Prisons of the Inquisitors, to the Prisons of the Secular Judges. But in *Spain* and *Portugal*, all Things relating to the Act of Faith are done on some Festival, to strike the greater Terror into the People.

In like Manner they are not all agreed, whether when the Criminals are delivered over to the Secular Court, the Act of Faith ought to be celebrated within the Church, or without it. In *Spain* and *Portugal* such publick Acts of Faith are held without the Church, and, generally speaking, in a large and open Street or Market, and upon very high Scaffolds, that all the People may more easily and clearly see, which could not be done so conveniently within the Church.

Matters being thus ordered, if the Person to be delivered over to the Secular Court is in Holy Orders, a Priest, or of any other Degree, he is, before he is turned over, stripped of the Prerogative of the whole Ecclesiastical Order, or, as they call it, degraded, that being deprived of every Dignity that might exempt him from the Secular Power, he may be delivered over to it.

This Degradation is twofold, one verbal, the other actual. The verbal is, when the Bishop pronounces Sentence against a Clergyman, by which he deprives him of all Clerical Orders, or rather of the Ministry,

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or Execution of those Orders, which is more properly Deposition. The actual is, when the Clergyman is not only deprived by Sentence, but also deprived actually and personally, stripped and despoiled of his Ecclesiastical Orders; and this takes Place in the Crime of Heresy, when the Person is to be deliver'd over to the Secular Court. But if he is only to be perpetually imprisoned, they only make use of verbal Degradation.

In order to an actual Degradation, a certain Number of Judges was formerly required. In the Case of a Bishop, twelve Bishops were requisite; of a Presbyter, six Bishops; and of a Deacon, three. But because in the Affair of Heresy, it would be difficult for so many Bishops to assemble, to degrade a Religious, already judged by the Judges of the Faith, the Bishop, according to a Power granted by Gregory IX. calls together the Prelates, Abbots, and Religious Men, of his Diocese, to be present on the Day appointed for this Ceremony. The Bishop himself, clothed in his *Pontificalibus*, assisted by the Prelates of his Diocese, places before him the Person to be degraded, clothed with all his Vestments, just as if he was going to Divine Service, and degrades him from his Orders, beginning with the highest, and so gradually descending to the lowest. And as in conferring Orders, the Bishop uses a Form of Words appointed by the Church for this Purpose, so also in degrading, when he deposes him from the Cloke and the Gown, and other Degrees, he uses Expressions quite the contrary, by which he declares he deprives him of this Order.

So that the conferring of Orders, and the Degradation from them, are performed in a Manner, and with Ceremonies directly contrary to each other. For when Orders are conferred, they begin from the lowest till they gradually rise to the highest. First, they confer the Order of the Door-keeper. The Bishop takes the Keys from the Altar, and delivering them to him, whom he appoints a Door-keeper, says, *Do this as one who must give an Account to God for the Things locked up by these Keys.* The Bishop ordains the Reader with this Ceremony. The People being present at his Ordination, the Bishop delivers him a Book, in which are written the Things belonging to his Function, saying, *Receive it, and be thou a Rehearser of the Word of God, and if you faithfully and profitably fulfil your Office, have part with those, who from the Beginning have administered well the Word of God.* The Bishop ordains an Exorcist, by delivering to him a Book, in which the Exorcisms are contained, using this Form of Words, *Receive and commit to Memory, and have Power of laying Hands upon the Possessed, whether baptized, or Catechumens.* In the Ordination

Ordination of an Acolythist, this Ceremony is observed. After the Bishop diligently admonishes the Persons to be ordained of their Office, he delivers to each of them Wax Lights, after this Manner: *Receive the Candlestick with the Wax Lights, and know that you are engaged to light the Tapers of the Church, in the Name of the Lord.* Then he delivers to him the empty Flaggons, in which they serve up Water and Wine at the Sacrifice, saying, *Receive the Flaggons to minister Wine and Water for the Eucharist of the Blood of Christ, in the Name of the Lord.* When the Bishop ordains Sub-Deacons, he admonishes them, that the Law of perpetual Continence is enjoined this Order, and declares that no one is taken into the Order of Sub-Deacons, who is not voluntarily determined to submit to this Law. After this, when the solemn Prayer of the Litanies is said, he enumerates and explains what are the Duties and Functions of the Sub-Deacons. When these Things are done, all those who are to be ordained, receive from the Bishop the Chalice and sacred Patens, and from the Hands of the Arch-Deacon, to let them know that the Sub-Deacon is to assist the Deacon's Office, the Flaggons full of Wine and Water, together with the Basen, and Napkin, with which they wipe their Hands; and the Bishop says, *You see what Ministry is hereby committed to you, therefore I admonish you, so to behave yourselves, as that ye may please God.* Besides this, they use some other Prayers. At last, after the Bishop hath put the sacred Vestments on the Sub-Deacon, at every one of which proper Words and Ceremonies are used, he delivers him the Book of the Epistles, and says, *Receive the Book of Epistles, and receive Power to read them in the Holy Church of God, as well for the Living as for the Dead.* In the Ordination of a Deacon the Bishop uses a greater Number of more solemn Prayers, and adds other Ornaments or sacred Vestments. Besides this, he lays his Hand on him, and finally delivers him the Book of the Gospel, with these Words: *Receive Power to read the Book of the Gospel in the Church of God, as well for the Living as for the Dead, in the Name of the Lord.* The Bishop ordains a Priest with these Rites. In the first Place, he, with all the Priests who are present, lay their Hands on him; then sitting the Vest to his Shoulders, he brings it over on his Breast in Form of a Cross; after this he anoints his Hands with Holy Oyl, and delivers him the Chalice with the Wine, and the Patten with the Host, saying, *Receive Power of offering Sacrifice to God, and of celebrating Masses, as well for the Living as for the Dead.* At last, he lays his Hands again upon his Head, saying, *Receive the Holy Ghost,*

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Ghost; whose Sins you remit, they shall be remitted to them, and whose Sins you retain, they are retained. It is to be noted that this Ceremony of Degradation is performed by Words and Ceremonies directly contrary. We have an Instance of this in the Book of the Sentences of the Toulouse Inquisition, in one John Philibert, a Presbyter, who had joined himself to the *Valdenses*, and whom by Order of the Pope, the Archbishop of Toulouse, in the room of the Bishop of Aux his Diocesan, who was dead, degraded from all his Orders in the Presence of the Abbots, and Prelates, or their Vicars, and delivered over to the Secular Court. For after he was set before them in his Sacerdotal Vestment, they stripped him of all his Ornaments, using certain Expressions. The Chalice and Patten: *We take from you the Chalice and Patten, and strip and deprive you of the Office and Power of offering Sacrifice to God, and of celebrating any Mass.* The Priest's Vell: *We take from you the Priest's Habit or Vest, since you have despised to wear the easy Robe of the Lord represented by it, and to preserve the Vest of Innocence.* To this Ceremony there is another immediately subjoined, which was observed in the Degradation of one *Janner*, a pretended Minorite. After this the Bishop immediately takes out the Anointing, by lightly scraping with a Piece of Glass so as not to draw Blood, those Places of the Hands which had been anointed, drawing the Glass from the Right-hand Thumb to the Left-hand Fore-finger, and then again from the Left-hand Thumb to the Right-hand Fore-finger, as is the Manner when the Bishop anoints any Person for a Priest. And thus, by taking away all the Marks of the Priesthood, he is deprived of the Ornaments of the other Orders. The Surplice: *We take from you the Surplice, the Ornament of the Diaconal Office, since you have not worn it as the Covering of Gladness, and the Garment of Salvation.* The Book of the Gospels: *We take from you the Book of the Gospels, and strip and deprive you of the Office and Power of reading in the Church of God.* The Diaconal Vest: *We take from you the Diaconal Vest, and strip and deprive you of the Power of exercising the Diaconal Office.* The Chalice, Patten, Flaggon, Water, Basin, and Napkin: *We take from you the Chalice, Patten, Flaggon, Water, Basin, Napkin, the Instruments of the Sub-diaconal Office, and strip and deprive you of the Use of them.* The Sub-Deacon's Tunick: *We take from you the Tunick, the Ornament of the Sub-diaconal Office, since you have not used it to Righteousness and Salvation.* The Maniple:

Manipulus. An Ecclesiastical Vestment, called also the *Sudarium*, which the Priests wear on the left Arm.

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We take from you the Maniple, the Ornament of the Sub-diaconal Office, and we strip and deprive you of the Ministry designed thereby. The Book of the Epistles: We take from you the Book of the Epistles, and divest and deprive you of the Power of reading them in the Holy Church of God. The Candlestick: We take from you the Candlestick, and divest and deprive you of the Office of lighting the Tapers in the Church. The Flaggon: We take from you the Flaggon, that from henceforth you may not use it in serving up Wine and Water for the Eucharist of the Blood of Christ. The Book of Exorcisms: We take from you the Book of Exorcisms, and deprive and divest you of the Power of laying your Hands upon the Possessed, whether baptised, or Catechumens. The Book he received when made Reader: We take from you the Book you received with the Order of Reading, and divest and deprive you of the Power of reading it any more in the Holy Church of God. The Keys: We take from you the Keys of the Church, and divest and deprive you of the Office and Power of keeping the Things locked up with those Keys, and of opening or shutting the Gates of the Church. By the Authority of Almighty God, Father, Son, and Holy Spirit; and also by the Power committed to us, as aforesaid, in this Affair, we take from you the Clerical Habit, and depose, and also degrade you, from all priestly, and every other Order, and divest and deprive you of every Clerical Honour, Benefice, and Privilege. And therefore we farther pronounce and declare to the noble Person, the Lord Guiardo Guido, Seneschal of Thoulouse, here present, that he shall receive you, thus degraded, into his Court. However, we earnestly require and beseech him, that he will so moderate the Sentence concerning you, as to prevent the Danger of Death, and maiming of Limbs. After these Things, his Head is shaved, before the Secular Court receives him. This shaving the Head is performed in this manner: The Bishop begins to pull out some few of the Hairs of his Head with Nippers, after which, the Barber finishes it with a Razor, so that there remains on it no Mark of his Tonsure or Clericate.

After the Degradation is performed, Sentence is pronounced against him as a Relapse; and he as such, altho' penitent, is cast out of the Ecclesiastical Court, and delivered to the Secular Arm. But they generally add this Clause to such Sentences, by which a Relapse, or impenitent Heretick, or any other, is delivered to the Secular Arm. Nevertheless, we effectually beseech the said Secular Arm, that he will moderate his Sentence concerning you, so as to prevent the Effusion of Blood, and Danger of Death; according to Cap. Novimus, de verb. sign. Where, after 'tis commanded that a Clergyman degraded, shall be delivered to the Secu-

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lar Court, 'tis added; *For whom nevertheless the Church ought effectually to intercede, that the Sentence may be moderated, so as to prevent Danger of Death, viz.* lest the Inquisitors, when they deliver Criminals to the Secular Judges, should seem to consent to the Effusion of Blood, and thereby become irregular.

When this Sentence against a Relapse is concluded, the Bishop and Inquisitor don't shew it to the Criminal, lest he should be enraged against them; but they send to him certain good Men, especially Religious, or Clergymen, not unacceptable to him, who discover to him the Sentence to be pronounced against him, and the Death to be inflicted on him, to confirm him in the Faith, to exhort him to Patience, to accompany him after his Sentence, to comfort him, and pray with him, and not to depart from him, till he hath returned his Spirit to his Creator. But they must diligently take Care, that they do not say or do any thing by which the Death of the relapsed Person may be hastened, viz. by exhorting him when condemned, to offer his Head to the Executioner, or to go up the Ladder, or to say to the Hangman so to direct his Sword, as to strike off his Head at one Blow, and not at several, or to say or do, or persuade to any Things of like Kind, by which his Death would be sooner effected, altho' the same would have happened, altho' these Words, or Actions had never been; because they contract Irregularity by these Things. Who would not believe that these Men detested with all their Soul every Effusion of Blood, who so effectually intercede for the condemned, and are so extremely careful not to say or do any Thing by which their Death may be hastened? Here some think, that such Penitents relapsed, ought to be allowed Ecclesiastical Burial, as well as all other Catholics. But this is contrary to Law and Custom, because their Bodies are burnt with Fire. In this Respect, however, they are dealt more favourably with than the Obstinate and Impenitent, in as much as these latter are burnt alive; whereas the others are strangled before they are burnt, which, as *Simancas* says, is more human, and leads to Repentance.

How the Process ends against an impenitent HERETICK, and impenitent RELAPSE.

If the accused Person be an impenitent Heretick, but not relapsed, he is kept in close Imprisonment, and put in Chains, that he may not escape and infect others; nor is any one allowed to come to him, or to speak

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with him, except the Keepers, who must be good Men, and not suspected concerning the Faith, nor easy to be deceived. In the mean while all Methods must be used for his Conversion. So that the Bishop and Inquisitor frequently, sometimes both together, sometimes a-part, must cause him to be brought before them, to refute his Opinions, and persuade him into the Faith of the Church of *Rome*. If he doth not submit to their Information, ten or twelve Persons are sent to him to instruct him, learned Men, Clergymen of different Orders, and Secular Lawyers, who frequently converse with him, to shew him that his Opinion is contrary to the Sacred Scripture, and the Decrees of the Church of *Rome*. If he is not converted, he is not immediately delivered to the Secular Arm, tho' he desires it, but is kept in Chains a long while, half a Year, or a whole one, in a hard and close Prison, that by the Misery and Distress of his Imprisonment his Constancy may be overcome. In the mean while he is frequently admonished, that if he persists, he must be burnt, and after this Life burn in Hell Fire for ever. But if he is not moved by this Calamity, he is removed into a somewhat more comfortable Prison, and used in a little kinder Manner. They also make use of Promises, that if he will turn, he shall experience the Mercy of the Judges. If they can neither prevail with him by this Means, they suffer his Wife and Children, especially his little ones, if he hath any, and his other Relations, to come to him, to break his Resolution and Constancy. But if after all these Methods used, he persists in his Opinion, the Bishop and Inquisitor prepare to deliver him over to the Secular Court. When therefore the Sermon concerning the Faith is held, the Inquisitor causes his Faults and Heresies to be read over by the Notary, or some other Clergyman, and then asks him, Whether he will depart from his Heresies, and abjure them? If he consents to abjure, he is admitted; and having made his Abjuration, he was condemned in the Times of *Eymerick* to perpetual Imprisonment, because he was believed to abjure rather thro' Fear of Death than the Love of Truth. And if he was a Clerick, he was degraded from his Orders, by a verbal Degradation only, *i. e.* he was deposed from the Function of his Ministry.

But if in this Condition he will not repent and abjure his Opinions, as is commonly the Case with such Persons, he is condemned as an obstinate Heretick, and as such delivered over to the Secular Court. And whilst the Secular Court is performing its Duty, some good Men, and zealous for the Faith, may attend him, and persuade him to the Catholic Faith, and exhort him as yet to turn from his Errors. And 'tis the

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the Opinion of *Eymerick*, that if even then he will be converted, he may be admitted to Repentance. But *Pegna* judges it more safe not to receive him by any Means, altho' he promises a thousand times his Conversion; both because 'tis provided for by no Law, and because Experience shews us that Persons thus received, seldom or never become Good.

If an Heretick impenitent or relapsed be present, the Bishop and Inquisitor, in Presence of the Magistrate of the Secular Court, declare him impenitent, or relapsed, cast him out from the Ecclesiastical Court, and leave him to the Secular Arm, or to the Jurisdiction of the Secular Court. And the Secular Court, which is in that Place, receives him as one left to their Court and Arm. If he be absent and fugitive, he is by Sentence declared impenitent or relapsed, and cast out from the Ecclesiastical Court, and left to the Secular Arm; and whenever the Secular Court can lay hold of him, he is punished as one obnoxious to that Court, according to the Nature of his Crime.

If the accused Person be an Heretick impenitent and relapsed, all Remedies are to be made use of for his Conversion, and he is closely and carefully confined, and no one admitted to him. But he can't escape Death. And therefore they exhort him, in as much as he can't avoid the Punishment of Death, to consult at least the Salvation of his Soul, to confess and receive the Sacrament of the Eucharist. Behold the amazing Charity of these Reverend Fathers, who, when they deliver a penitent Criminal to Death, are so solicitous about the Salvation of his Soul. But whether he repents or not, he is delivered to the Secular Court, with a very earnest Entreaty, so to mitigate their Sentence concerning him, as to prevent the Effusion of Blood, and Danger of Death.

CHAP. XXV.

How the PROCESS ends against a Negative HERETICK convicted.

IF the Person accused be found in Heresy, either by the Evidence of the Fact, or the legal Production of Witnesses, and yet he doth not confess it, but persists in the Negative, he is at this Day called a convicted negative Heretick. An Heretick is also judged to be impenitent, altho' he protests himself to be a Believer, not only when he is convicted of the Heresy he hath said, but also of any heretical Fact, by

which he may be judged to be an Heretick, or Believer of Hereticks. This is to be understood of one who denies the heretical Fact of which he is legally convicted; and not of him who confesses such heretical Fact, but denies the evil Intention. And these are the Reasons alledged why such a one may be condemned as an impenitent Heretick. Because if the Heresy of such a Negative is fully and legally proved, it appears to the Church, that such a one is an Heretick; and therefore, unless he confesses and detests his Errors, he is deservedly delivered to the Secular Court, as an impenitent Heretick. Besides, he who doth not admit the Errors legally proved against him, doth not satisfy the Church, tho' he protests that he holds the right Faith; the Church first demanding Satisfaction for the Heresies proved, which he denies that he ever said. And therefore, not being amended, he may be condemned as an Impenitent, because Pardon of Sin is granted to no one without Amendment. And finally, Confession is necessary to true Repentance, nor doth he deserve to obtain Pardon, who doth not acknowledge his Sin; and therefore as a Negative doth not confess his Crime, he is accounted as Impenitent, and therefore is deservedly to be left to the Secular Court. But before such a Sentence can take place, 'tis, according to their Doctrine, required, First, That the Person be convicted either of true and formal Heresy, *viz.* saying there is no Purgatory, and not of a scandalous, rash, or illfounding Assertion, and the like; or of Falses from which arise Heresy or Apostacy. And here there is Need of great Prudence. Secondly, 'Tis required that the heretical Words, of which a Negative is convicted, be certain and clear, and not dubious or doubtful, capable of a double Sense, one heretical, the other Catholick; because as doubtful Expressions are to be interpreted in the best Sense, the Catholick Sense is to be received, and the heretical Sense rejected. Thirdly, That one guilty of an Heresy which he denies, be convicted by legal and proper Witnesses, above all Exception, and not by Enemies, or single Witnesses, or others unfit. Fourthly, That the heretical Fact or Saying, of which the Criminal is convicted, be lately done, and not an old Matter, which the Criminal may be supposed likely to have forgot; because in a Matter done a great while ago, such Forgetfulness may be presumed. Lastly, That a Negative be convicted by Witnesses to have asserted, that he doth so believe himself, and that others ought to believe so too.

Such a Negative is kept in hard Confinement, and laid in Irons, and is by the Bishop, Inquisitor, and others, oftentimes admonished to confess the Truth, with the Hopes of Mercy if he doth, and the Threatening of being

being delivered to the Secular Court, if he persists in the Negative. If he still persists in the Denial, the Bishop and Inquisitor, either separate, or together, privately examine the Witnesses themselves, and by other good Men, and Adversaries, then to tell them what they think privately, that the accused Person may not die unjustly. And if the Witnesses persist in the Affirmative, and the Party accused in the Negative, they are examined with greater Care, not that the Witnesses are confronted with the Person they accuse, that they may be examined together, but it is only recommended to the Inquisitors to use great Care in searching out the Truth, lest it should happen that an innocent Person, who can't fully defend himself, should be unjustly condemned. If any one of the Witnesses falters, or if there are other Signs against him, they give notice of that the Truth may be found out. If they have found false Witnesses, or if they retract their Evidence, the accused Person is pronounced and dismissed as innocent, and they themselves condemned to perpetual Imprisonment, and sometimes exposed as public Spectacles upon Ladders before the Gates of certain Churches, and their Lives only mercifully spared them. But if the Witnesses persist, and the accused Person persists also in the Negative, having been kept in Prison for a competent Time, viz. a Year, he is at last, by the Sentence of the Bishop and Inquisitor, cast out of the Ecclesiastical Court as obstinate and impenitent, and delivered over to the Secular Arm. So that if it should happen that he is accused by false Witnesses, and is really innocent, the miserable Wretch, tho' falsely condemned, is delivered to the Power of the Secular Court, to be burnt alive; nor is it lawful for him, without the Commission of mortal Sin, as the Roman Doctors think, to save his Life, by falsely confessing a Crime he hath not committed. And therefore in this Case, tho' it may seem very hard to him, and Negative to die when he is innocent, and for this Reason he may possibly believe it lawful for him to confess the Crimes objected to him, to save his Life, yet this is not to be suffered by any Means; and therefore 'tis the Duty of the Divines and Confessors, who speak to such a Negative, and attend on him to his Punishment, to persuade him to discover the Truth; but to caution him by all Means not to acknowledge a Crime he hath not committed, to avoid temporal Death, and to put him in Remembrance, that if he patiently endures this Injury and Punishment, he will be crowned as a Martyr. Having thus received the kind and virtuous answers; as Gerson observes, that it sometimes happens, that a negative Heretic, given over by the Inquisitors, to the Secular Arm, dies and challenges them

them to the Valley of *Jehosaphat*, or the Tribunal of God. But if it appears to the Judge that he hath proceeded justly in the Condemnation of a negative Heretic, he ought not to be afraid of his Citation. But if the Judge should not be certain of the Justice of his Sentence, but perceived any Disturbance in his Mind when he pronounced it, then 'tis his Duty more maturely to enquire into all Circumstances, that the former Sentence may be either revoked or confirmed. In the mean while they say, that if such Citation and Appellation be made not thro' Hatred and Revenge, but with a good Design, that his Innocence may appear, and his Family be preserved from Infamy, it is lawful.

In order to give our Readers some Relief from these calamitous melancholy Discontents, we have judged it necessary to insert a few Relations, which tho' not placed in Chronological Order (because we cannot ascertain the Time of their Transaction) yet deserve Credit, in as much as they were penned by a Judge-Delegate of the Inquisition, now a Convert to the Church of England.

RELATION I.

In the City of Orizima, in the Neighbourhood of Loretto, an old Lady was forced to accuse herself, her Niece, and her Maid, on the following Occasion, to the Court of Inquisition.

THE eldest Lady having been to confess her Sins, was told by her Father Confessor, he could not give her Absolution, because of some superstitious Practices she had declared, that are always reserved to the Tribunal and Court of the Inquisition; so that no Priest can absolve from them. She was then exhorted by him to go and present herself willingly, and of her own accord, to some of the Judges of the same Inquisition, and to tell them plainly and sincerely whatever she had done, without any Fear; for the Inquisition (as it is true) never punishes, nor treats them with Severity, that go and voluntarily accuse themselves of what Sins soever they have committed; be they never so great, or never so heinous; on the contrary, they are kindly received, and privately and secretly dispatched, only with some salutary Penance; such as the Recital of some Prayers or Psalms, some Abstinence, Fasting, and the like. The

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old Lady went and told the youngest, who was her Niece, and their Maid (both of them her Partners and Companions in the same superstitious Crime) what the Father Confessor had advised her to do. So to prevent the Danger of being perhaps accused by others, they all three resolved to come together, and receive the Impunity, by accusing themselves.

They came soon after to the Inquisition, and each of them was heard apart. We began with the old Lady, whose voluntary Accusation the Chancellor writ down after the usual and authentic Form; and it was, as far as I can now remember, as follows:

SIR, I have been taught, some time ago, by an old Woman, our Neighbour, who is now dead, a certain Way of getting Money, or finding a Treasure, I was curious to make an Experiment of it. But now I bent by my Father Confessor, that such a thing does belong to the Inquisition; wherefore I come now to discharge my Conscience thereof. What I was told by the said old Woman is, that a young Maid, or Virgin, should fast for nine Weeks together, three times a Week, to the Honour of the Indian King; that during all this while she should never name the Names of God, Jesus, and the Blessed Virgin; that she was to take once a Week the Holy Sacrament to the Honour, as I said before, of the Indian King, or Emperor. Then after the nine Weeks were expired, the same young Virgin, or Maid, should make ready a Room, where no Pictures or Images at all should be found, but only a new Table, a new Chair, a new Candlestick, and new Linen to overspread the Table withal. In this Room, said she, so made ready, was the young Maid, at the End of the nine Weeks, to wait alone, drest in White, for the coming of the Indian King, who should then certainly appear with a great Purse full of Gold in his Hands; and to whom the young Maid was to say nothing else, but, Welcome the Indian King; welcome the Indian Emperor. After which, this Indian King would surely lie down on the Table, his great Purse of Gold, and disappear. (This is, Sir, what the old Woman told me, and I was so silly as to be willing to make an Experiment thereof. I acquainted my Niece, who lives with me, with the whole Story, and we got our Maid, who is a young Woman unmarried, to do and perform all the things above-mentioned, but we never saw nor heard any thing of the Indian King; so that I thought within myself, I had been imposed upon, and went to confess my Sin; and this in particular, which I pray God to forgive me, and humbly beg from this Tribunal the Absolution of it.)

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The Form of the Abjuration is commonly read by the Chancellor of the Inquisition, standing before the General Inquisitor, sitting in a Chair, and the Persons making their Abjurations are to repeat it aloud, kneeling upon their Knees.

Thus each of the Ladies, as well as the Maid, having made their Abjurations apart, each of them likewise apart was absolved from the Excommunication, which they think any Person does incur, as soon and as often as such a Person does, or says, any thing against Faith and Religion. The Formality commonly used in such Absolution, is this: The Person supposed to be excommunicated; is kneeling in the Place where they are, and the Inquisitor or his Vicar sitting upon a Chair, and holding in his Hands a long Rod, and beating with it on the Shoulders of the excommunicated Person, says the following Words: *By the Authority bestowed upon me with my Office, I do absolve thee from the Excommunication reserved to this Holy Tribunal, in the Name of the Father, and of the Son, and of the Holy Ghost, Amen.*

Lastly, for a salutary Penance, the two Ladies and their Maid were enjoined, that for a whole Year each of them should, to the Honour of God, fast every Friday, and receive the Holy Sacrament every first Sunday of the Month, and that every Morning, as soon as they should awake, they should repeat these Words: *Blessed and praised for ever be the Names of the Lord our God, of his Son Jesus Christ, and of the Blessed Virgin;* and then they were sent away.

RELATION II.

By the same Hand.

THE High Court of the Inquisition at Rome having sent circular Letters to all the General Inquisitors, with strict Orders to do all Endeavours to catch and arrest, if they could, a certain Clergyman, whose Name was specified in the said Letters, who was impeached in the Court of the Inquisition to have publickly taught at Venice erroneous Doctrines, nay, open Heresies, my General Inquisitor sent me a Copy of the aforesaid Letters, earnestly enjoining me, that I should with the utmost Care

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Then she was asked, Whether she taught at any time any body to do or know any Person besides her Niece and Maid, who ever had done and practised such superstitious Things? To which she answered, No, Sir, neither did I teach any person, nor did I expect now that any body else had practised such Things. She was also asked, Whether she believed in her Heart, that it was lawful to do such Things? and answered, No, Sir, I don't believe it. Thus having confirmed her voluntary Confession, by the writing beneath of her true Name, she was sent away with a Precept to appear before the Inquisition as often as it should be thought fit, or she should be called for as a witness.

After the old Lady was gone, her Niece came in, and told the same in Substance, that her Aunt had said. Last of all, the Maid also came in, and related whatever she had done, in hopes of getting Money, having been instructed so to do by her Mistress; for both of them were sent away for that time, after the same manner as the old Lady was. A few Days after, they were all three together called again to the Inquisition, for the Absolution, and Ending of their Affairs. First they were ordered to make a private Abjuration of the Errors of which they had rendered themselves suspected. Namely, for a vehement Suspicion, because of their deliberate Abuse, Injury, and Contempt of the Ecclesiastical Things and Sacraments, as well as of the Names of Almighty God, Jesus Christ, and the Blessed Virgin, together with all sorts of Images; and all this in the Honour of the Devil, under the Name of the Indian King and Emperor. The Form of the Abjuration commonly used in the Court of the Inquisition in India is as follows, or something like it. I, *[Name]*, do hereby acknowledge myself unworthily suspected of Heresy, to this Effect, *[Name]*, by doing or saying such and such a thing or things, do now acknowledge my Fault, and make the Abjuration of all the Errors in general, against the Roman Catholic Faith and Religion, but especially those I rendered myself suspected of, by saying so doing, and so saying; and do earnestly promise never to deliver say, such Things, any more than my Wife, or Child, or other persons, what so be, the same Faith and Religion do command me to do, and speak always accordingly. So may God help me, and this his Holy Gospel. And here the Gospel is written or printed, is presented, which the Persons making their Abjurations, are

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endeavour to execute the Orders of *Rome*, and that so much the more, because the said Clergyman, who had suddenly disappeared from *Venice*, made himself of my Diocese, and of the City of *Orsimo*. But because it was supposed such a Man might very likely have changed his Name, the High Court of the Inquisition did therefore make in their Letters an exact and full Description of his Person, viz. that he was of such and such a Stature, Age, Complexion, and the like; amongst all which Particulars I do still very well remember these, that he always wore a long black Gown, such as most of the Priests are used to wear in the Cities of *Italy*; and besides, that he was of a pale, lean, and grave Countenance.

I thought myself obliged to do whatever I could in such a Case, and accordingly I did. First of all I sent for the Register-Books of all the Parish Churches of *Orsimo*, to see whether I could perhaps find in any of them the Name of the Man. The Books were presently brought to the Chamber of the Inquisition; for when it is a Question in *Italy*, especially in the State of the Pope, of obeying and serving the Inquisition, all sorts of Persons of what Station soever, are always in a Readiness, and dare never refuse to do whatever they are ordered at any time. I looked over all the Registers, but could meet with no such Name as was expressed in the Letters from *Rome*. Then I sent for the Ordination Book, wherein the Names of all the Clergymen ordained at *Orsimo* were set down, but to no purpose; so that I began to believe that this Man was neither born, nor ordained at *Orsimo*, or had taken some feigned Name.

At last I assembled together all the *Signori Patentati*, and caused the Letters and Orders of the High Court of the Inquisition to be read to them by the Chancellor, desiring them all if they had, or should ever happen to have, Notice of the Man mentioned in the said Letters, to let me know it. Notwithstanding all the Care I had taken, it was a whole Year before I could get any Intelligence of the Matter, when one of the *Signori Patentati* came to me one Morning in great Haste, saying, I remember, Sir, the Tenor of that Letter of *Rome*, which you ordered to be read to us a Year ago; and this Morning, whilst I was in the Market-place, I saw a Man, in whom I think, all the Marks and Tokens mentioned by the Letter do concur, wherefore I am come to discharge my Conscience, and acquaint the Court of Inquisition with it.

Upon this I sent for our *Mandatario*, and ordered him to bring the Man, if possible, by fair Means (since we knew not yet who he was.) Mean while, the Fiscal and the Chancellor were sent for, who came very

very quickly to me, and almost at the same time the Man was brought before us. We looked at him with the utmost Attention, and comparing his Person with the Description given in the Letter, we concluded that in all probability he might be the Man we wanted. I resolved therefore to send an Information in Writing to the General Inquisitor, and wait for his Orders, what to do in that Matter. The Book of the Holy Gospel was then presented to him, and he was bid to swear by laying his Hand on the Book, to tell Truth in whatever should be asked of him; which being done, the Chancellor began after the usual Manner, and asked, *What was his Name? which the Town of his Nativity? and of what Profession, or Station, he was in the World?* To which he answered, *Sir, my Name is N. N. I was born in a Town called N. not very far from this Place; and my Business is the Curacy of a little Place near the same Town wherein I was born.*

Asked, *Whether he had always lived in the Town of his Birth, or thereabout?*

Answered, *No, Sir, I was a travelling for several Years.*

Asked, *Which were the Places, Towns, or Cities, where he had been, during his Travels?*

Answered, *I was, Sir, in such and such Towns and Cities. (Here, amongst the rest, he said he had been at Venice.)*

Asked, *In what Year he was at Venice? how long he was there? and what his Business was there?*

Answered, *I went, Sir, to Venice, in such a Year, (which was just the Time specified in the Letter of the High Court of Inquisition) and I was there for two or three Years, teaching and keeping a little Grammar School for Children.*

Now since the Place, Time, and Business, did exactly agree with those Letters from Rome, we begun all to suspect very much he was the very Person; but because the Circumstance of being pale and lean seemed not to be answered, he being then pretty plump, he was therefore

Asked, *How he did like the City of Venice?* And he

Answered, *Sir, I did always like it very well in all Respects, but the Air and Climate did never agree with me, for all the time I lived there, I was troubled with some Indisposition, which reduced me to a very poor Look, and weakly Condition, and obliged me at last to leave Venice.*

Then we remained quite convinced he was the Man described in the Letters from Rome; so he was bid to confirm all his Answers by writing underneath his own Name, which he did, and was sent to safe Custody.

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I then immediately dispatched a Letter to the General Inquisitor, with a particular Account of the whole Proceeding; to which I received an Answer the same Evening, wherein the General Inquisitor ordered me to examine the Man more strictly, and cause him to relate the whole Series of his Life, in order to find whether he was a learned Person, such as the Man was supposed to be, whom they had described.

The next Morning therefore, the poor Country Curate was brought to me again, who was shaking and trembling all over, which gave all that were present great Suspicion. But we remained quite surprized, when having been bid to swear, as he had done before, to tell Truth in all his Answers, he would not stir to do it, but only answered, *Quod dixi, dixi; quod scripsi, scripsi: What I said, I said; what I writ, I writ.* He was bid to consider where he was, viz. before the Tribunal and Judge of the Inquisition, whom he was in Conscience obliged to obey; and that the same Judge might force him by Torments, to what he durst refuse to do by fair Means; but all the Answer he would make, was nothing but, *Quod dixi, dixi; quod scripsi, scripsi;* which he pronounced always trembling: Thereupon I sent another Express to the General Inquisitor, acquainting him with this odd Story; who sent Word, I should bring to him, as soon as I could, the speechless and whimsical Curate, that he would find out Means of making him speak, and do what he ought to do.

So the poor Country Curate, his Hands being tied behind his Back, was carried on Horse-back with great Solemnity, surrounded by all the *Signori Patentati*, and their Servants, in a Cavalcade, I being at the Head of them, from *Orsino* to *Ancona*, where the General Inquisitor resided. Here he exerted all his Cunning and Cruelty, to make the poor Curate speak, but to no purpose, till at last he was found to have turned mad, and at the same time was discovered to be innocent; for we heard from other Inquisitors, that the true Person, that was indeed guilty, had been lately arrested, and taken up in some other Place. This was the End of the pitiful Case of the poor Country Curate, who was finally set at Liberty, and declared innocent by the General Inquisitor. What became of him afterwards, I never heard. Hence we may all learn and observe, First, what a mere Fear can cause us sometimes to do, since it was able to turn this poor Man's Brain. Secondly, How easily does human Judgment mistake, and how often do Men condemn such a one as guilty of a Crime, who yet is in the Eyes of God innocent and clear from it.

underneath his own Name, which he did, and was sent to the Curate.

RELATION III.

By the same Hand.

ANOTHER Case that happened whilst I was Vicar of the Inquisition at *Orfimo* seems to me so extraordinary, that I think this only may suffice to make all People of good Sense, highly to detest and abhor the unnatural way of proceeding of the Inquisition. They oblige every body, Men and Women, of what Age or Condition soever they be, without Exemption, under the most severe Penalties, amongst which is the Excommunication to be incurred *ipso facto*, if they happen to know any Person that ever did, or said, even the least thing against the *Roman* Faith, to declare it by way of Denunciation to the Inquisition, be such Person never so dear a Friend, never so near Relation to them, and that without keeping the Wise and Christian Moderation, which our Saviour teaches us in his Gospel, of correcting and telling them aside once, or twice, before we go and tell it the Church. No, the Church of *Rome* will have all such Persons immediately impeached in the Court of Inquisition, without any regard to the Gospel: So that in the said Church a Father can never trust his own Children, nor a Husband his Wife.

A poor Miller then, according to this inhuman Maxim, was accused to the Inquisition by his own Wife, on several Heads. First, Of having said something against the Almighty Power of God; for losing two or three of his Children in a very short time, he said, that God could never do worse to him. Secondly, Of despising holy Images and Medals; because she having some time shewed him one of such Medals, which a Child of his, lately dead, was used to wear at his Neck, he flung it in a great Passion to the Ground.

Here the Reader must be acquainted, that these Medals, which are commonly Brass, and of the Bigness of a Shilling, have always on both Sides of them the Image of some Saint; and the *Roman* Catholicks are so superstitious as to wear them, hung either at their Necks or at their Beads, believing they shall be, in the Course of their Lives, protected by those Saints whose Images are printed on their Medals; nay, even to obtain by wearing them, the full and plenary Indulgence of their Sins, at the Point of Death. So this was the second Head the poor Miller was accused upon by his Wife. The third and last was against the Immortality of our Souls; for the said Miller had been heard to say, *I think*
all

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all our Preachers tell us so many great things of our Souls only to affright us; for I have seen several Persons dying, who after their last Breath left nothing behind them.

This was in Substance what the Miller's Wife said in her Denunciation against him. The Witnesses alledged by her were examined, and told almost the same she had done; but being asked about the Character of her Husband, they said, he was, as far as they knew, a very honest Christian, and a religious Man; in particular they all agreed, that he had always shewed an especial Affection and Devotion towards the Souls that are suffering (according to the *Roman* Belief) in Purgatory, for he was often giving Alms, in order to cause some Masses to be said for their Relief, and he was oftentimes hearing them himself to the same End. They said also all of them, without being asked, about his Wife, that she was very jealous of him, and not an extraordinary good Woman.

I was indeed very unwilling to proceed against this poor Man, seeing, I thought, by what the Witnesses had said, 'twas evident, that whatever he had said or done, was rather the Effect of some Passion, or Ignorance, than of Malice, or want of a Christian and true Belief; yet notwithstanding all this, the General Inquisitor ordered me to pursue the Cause, and to arrest the Miller. So accordingly, the Order for apprehending him was writ, as it is usual, by the Chancellor of the Court of Inquisition, and given to the *Barigello* of the same Court, who went and carried the poor Miller to Prison.

He was afterwards examined several times, untill he plainly avowed whatever he had been impeached of. Now we must here take Notice of one thing, which is very particular, and proper to the Inquisition. In all other Courts, when a Person has confessed the Crime, then nothing else remains but Sentence and Condemnation. But in the Inquisition 'tis not so; for after any one has avowed what he has said or done, they go farther, and are willing to know his Heart, *viz.* whether he believes or no such things that he did or said. And because they think no body that believes it would be so silly as to tell it, therefore all they that have confessed the Crimes whereof they are accused in the Court of Inquisition, and then say, that they don't believe in their Hearts according to the said Crimes, are commonly put to the Rack, in order to try by that Means, whether they are sincere, and say true, or not.

So the poor Miller, after having plainly avowed what his Wife had impeached him of, was in particular (as they always do before the Rack) examined about his Belief. As to the first Head he said, That he certainly

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tainly believed, that God was of an Almighty Power, and that he could do every thing that could be done; but that he was so vexed, and concerned for the Death of his Children, that his Grief made him then think and say, that nothing worse could happen, or could be done to him, than that. As to the flinging the Medal to the Ground, he said, He believed whatever the *Roman* Catholick Church does teach about holy Images and Medals, and that he flung not the Medal out of any Contempt of the same, nor of any Saint, nor Image, but because that Medal, which one of his beloved Children was wont to wear about his Neck, put him in Mind of his Death, and renewed thereby his Grief and Affliction; and therefore his Wife having shewed him such a Medal (as she was used to do, on purpose to vex him) without considering what it was, he flung it down, only in spite of his Wife.

Lastly, concerning the principal Point, having been asked, Whether he believed what Preachers commonly say about the Soul, *viz.* that it is immortal, and never dies, and that it is to be either eternally happy with God and his Holy Angels in Heaven, or everlastingly miserable with the Devils in Hell? whether, I say, he believed all this was not true, and that our Preachers only say so to affright us? he answered, *Sir, I don't believe it with my Heart, but sometimes only with my Mind.*

Being asked, what he meant by believing with his Heart, and believing with his Mind, he could never give a better Answer, but always reply'd, that with his Heart he truly and indeed believed that our Souls never die; that they are immortal, and go either to Heaven or Hell for ever; but with his Mind sometimes he was believing the contrary. He was a very ignorant Fellow, who could never express himself better. He surely meant, by believing with his Mind, the Thoughts that sometimes creep into the Mind of every good Christian, without any Consent to the same, since he affirmed stedfastly, that our Souls are immortal, but thro' Ignorance, he was incapable to explain himself better. Thus the poor ignorant Miller was a long while in a Prison, waiting from the High Court of Inquisition of *Rome*, to whom the General Inquisitor had sent an Information of the Case, for his last and definitive Sentence. I pity'd him very much, because of his Ignorance, and because he had some Children, which in his Absence wanted Bread; and therefore I did what ever I could to put a speedy and favourable End to his Cause. I sent for the Advocate of the Inquisition, who is called, as I said before, *Avvocato de Rei*. He was a very good Civilian, and upon this Occasion made a noble and excellent Writing in Defence of the poor Miller, which I sent

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to the Inquisitor-General, but all to no purpose; for after many Weeks there came at last the Sentence, or the Decree of *Rome*; which is to this Effect:

Let the Man be racked about his Intention and Belief; and if he gives Christian and Catholick Answers about it, let him first be obliged to make Abjuration de vehementi, and then be condemned to Imprisonment, until the High Court of Inquisition please to set him at Liberty. I was extremely sorry at such a Sentence, and being very unwilling to execute it, I desired the Inquisitor-General, under the Pretence that he had in the Place of his Residence better Conveniences for these kind of Operations, that the Man should be conveyed to him, which he ordered me to do; and so he was carried after the same manner, as I said before of the Country Curate, to *Ancona*, where he was racked, according to the Decree of *Rome*, and having answered just as he had done before, he was caused to make a publick Abjuration, and then was kept above twelve Months in a strict Prison, before he could get his Liberty.

C H A P. XXVI.

How the PROCESS ends against a Fugitive HERETICK.

IF the accused Person be a Fugitive, after he is waited for a competent Time, he is cited by the Bishop or Inquisitor, in the Cathedral Church of that Diocese where he hath offended, and in other Churches of that Place where he lived, and particularly from whence he made his Escape, personally to appear on a certain Day in such a Cathedral Church of such a Diocese, there to hear, upon a certain Hour, his definitive Sentence before them, to which they add, whether he appears or not, that they will proceed against him to a definitive Sentence, as Law and Justice require. This Citation is fixed upon the Gates of the Cathedral Church. In this Citation some Delay is granted, *viz.* of thirty Days, and that is peremptory, so that this single one serves for three, in which the Criminal is cited to all and singular the Proceedings of his Trial.

If the Criminal doth not appear, his Contumacy is complained of in the several Terms of the Edict, and the Fiscal of the Inquisition puts in his Bill of Accusation, after which the Process is carried on according to Course

Course of Law; observing the Custom and Laws of the Holy Office. When all this is finished; if the Crime really appears, Sentence is pronounced against the Criminal whenever the Process is rightfully and legally determined. If he hath been informed against for Heresy, he is declared an obstinate Heretick, and as such left to the Secular Arm. If informed against as one suspected of Heresy, and if excommunicated because he would not appear, and if remaining under the Sentence of Excommunication for a Year, he is not pronounced an Heretick, but condemned as tho' he was one. But if upon the Expiration of the Year he appears, he is heard as far as relates to the excusing his Crime, and testifying his Innocence; but not in order to recover his Effects, unless he can make his Innocence, or some other just Impediment, legally appear. If he is in Sacred Orders, he is first degraded, by a verbal Degradation only, because he cannot be actually degraded, in as much as he is absent. But *Eymerick* thinks, that the Person, thus degraded, is not to be left to the Secular Arm, but that if he will repent, he may freely, and without the Question, be admitted to Mercy and Abjuration.

And lest the Sentence against Fugitives may seem to be pronounced in vain, 'tis usually published before all the People, and the Image, or, as they commonly call it, the Statue of the absent Person is publicly produced, on which there is a Superscription fixed, containing the Name and Surname of the absent obstinate Person who is condemned, which Statue is delivered to the Secular Power, on which he executes the Sentence and Penalty of Burning, as he would do upon the absent Person himself, if he were present, unless he would turn, or upon a Person otherwise relapsed. Thus, as *Lewis a Paramo* tells us, the Statue of *Sigismund Malatesta* was burnt at the Gates of *St. Peter*; and the Statue of *Luther*, after he had been cited, and did not appear, was also burnt, together with his Books, at the Command of *Leo X.* by the Bishop of *Ascoli*, and *Silvester Priorates*.

When this Custom of burning the Statues of absent Criminals began, is uncertain. *Pegna* believes it not to be very ancient, because neither *Eymerick*, who with great Diligence hath treated of every Thing relating to Practice in this Crime, nor any other of the Ancients, who have written of the Order of proceeding against Hereticks, have mentioned this Custom; nor is there to be found any single Trace of it in the *Vatican Copy*, nor in that of the most illustrious Cardinal *Sirletto*, where there are many Things, and even the most minute Things con-

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cerning the Method of judging and punishing Hereticks. But yet he thinks it very commendable, and proper to strike Terror, and therefore altogether fit to be used.

C H A P. XXVII.

Of the Method of proceeding against the Dead.

PROCESS is also carried on against the Dead for the Crime of Heresy. Now it may happen several ways that a Person may be judged an Heretick after Death. First, If before his Death the Inquisition against him was begun, and his Crime appeared either by his own Confession, or the Evidence of the Fact, or the legal Proof of Witnesses, and the Criminal dies before the Process is ended, either confessed and impenitent, or negative, or relapsed. Secondly, If being in Prison for Heresy he kills himself; for by thus destroying himself he seems to confess the Crime. Thirdly, If, tho' when alive his Heresy did not appear, and he was not accused of it, yet, if after his Death it at any time appears that he died an Heretick, either by the Depositions and Attestations of others, or by Facts, or Deeds, or Books composed by him, or by any other legal Reasons. This Process is carried on against the Dead before this Tribunal, chiefly for these three Ends; that their Memory may be condemned; that the Heirs of the Dead, or any other Possessors of their Effects, may be deprived of them by the Fiscal; and finally, that the dead Bodies may be taken up, cast out of Holy Ground, and burnt, as 'tis determined by the first Instruction of *Seville, An. 1484, cap. 20.*

This Action against the Dead, when carried on in order to the Confiscation of their Effects, is said to last for forty Years. Thus 'tis determined, *Cap. 2. Sect. 1. de præscript. l. 6.* That the Effects of deceased Hereticks shall be the Catholick Childrens and Heirs by Prescription, at the End of forty Years, if so be they have possessed them *bona fide*. The same is determined by the Instruction of *Seville, An. 1484, cap. 20.* Now the Children and Heirs of the Deceased shall then be said to have possessed his Effects *bona fide*, when, at the Time of his Death, and for the whole Space of forty Years, they have believed and understood that the Person deceased died a Catholick. But if within these forty Years they have at any time been informed that he died an Heretick, they shall

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shall never plead Prescription, because from that time they began to be in *mala fide*; and if therefore they have been thus in Possession of them, *mala fide*, the Fiscal of the Office of the Inquisition shall seize on such Effects even after forty Years. As to what regards to Condemnation of the Memory of the Dead, such an Action is never hindered or determined by any Intervals of Time: For even when forty Years and more are elapsed, the Inquisitors may, when ever 'tis discovered and legally proved that one died an Heretick, carry on an Action against him to condemn his Memory, and declare him to have died excommunicated, and to forbid any one from praying for him, and to dig up his Bones, if possible, that they may be burnt; for he with whom 'tis not lawful to have any Communication when alive 'tis neither lawful to have it with him when he is dead. But altho' the Children escape this Confiscation of their Estates, if they have been in Possession of them, *bona fide*, for forty Years, they incur however the other Penalties which the Laws have decreed to the Children of the condemned, *viz.* Infamy, and Incapacity for all publick Offices and Benefices.

Formerly a Father was presumed to die in Heresy, when sick on his Bed, he desired Consolation from any one of the *Albigenses*, by Imposition of Hands. And therefore 'twas customary for Children, to prevent their being excluded from their Patrimony, to object, that their Parents were not in their Senses when they desired that Consolation. Hence arose a Question, Whether such an Excuse ought to be admitted?

'Tis decided, cap. *Filii*, de heret. l. 6. The Children, or Heirs of those, who when on their Death-beds have desired Hereticks to comfort them, that they might receive the Consolation from them by Imposition of Hands, according to their most wicked Custom, and thus go the Way of all Flesh, ought not to be admitted to prove, that such deceased Persons received this Consolation, or more truly this Desolation, when they were not of a sound Mind, or after they lost their Speech, since, as 'tis said, 'tis their Custom never to console such a one who is not in his Senses, and hath not his ordinary Memory, if whilst they lived they were defamed for Heresy, or suspected, or if it legally appears that, being in their Senses, they desired such Hereticks. In other Cases the aforesaid Children, or Heirs, may be admitted to prove the Premises, not by their Wives, Children, Acquaintance, or any that belong to them, but by other Witnesses worthy of Credit, and especially by Persons zealous for the Faith.

Here there is a double Method of excusing such Persons proposed. First, If it be proved that the deceased Person, when alive, was not suspected

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suspected or defamed of Heresy, but lived in good Repute, and received the Sacraments of the Church after a Christian Manner, at proper Times, and performed other Things which are usually done by true and Catholick Christians. Secondly, If it can be shewn that he was not of a sound Mind, when he desired the Consolation of Hereticks; which must be done one of these two Ways: Either by shewing, that he was at a certain Time mad, and that 'tis to be presumed that he committed the Crime whilst the Madness lasted, and during the Time of such Madness; and in this Case the Fiscal or Judge, if he proceeds *ex officio*, must prove, that the Offence was committed when the Person was himself: Or by shewing, that by the Violence of his Distemper, he was disturbed in Mind, and deprived of his Reason; for sometimes Persons are delirious in a Distemper, especially in old Age, who in Health were in full Possession of their Senses and Reason. These Proofs must not be made by their Wives, Children, or other Relations, but by Witnesses above all Exception, and in the last Case skilful Physicians are principally to be regarded. If the Children fail in this Proof, their Excuse is not to be admitted.

Farther, since a Criminal at the Article of Death ought to be sacramentally absolved, if he confesses, and is ready to obey the Commands of the Church, according to the first Council of Orange, cap. 2. *As to Hereticks who lie at the Point of Death, if they desire to be Catholicks, let the Presbyters, if there be no Bishop to do it, sign them with the Chrism and Benediction;* hence it oftentimes happens, that Persons dying have confessed Heresy to a Priest, and received their Absolution from him. And as no Action can be carried on against the Dead, unless it be presumed that they died impenitent, there arose formerly a Question in the Council of Tarragone, whether the Priest, who asserts that he absolved any one from Heresy, ought to be credited? This Question was at that Time of great Importance, because if the Priest affirming this Matter was to be believed, the Inquisitors could not proceed against such a one after his Death. But now this Question is at an End, because Confessors have no Power of absolving Hereticks. Such a Case may however happen, viz. when any one is absolved by Virtue of any Jubilee, in which the Pope grants the Power of absolving from such a Crime: Or when an Heretick, absolutely concealed, or mental, is absolved, whose Heresy is afterwards discovered, and himself proceeded against. A like Case may happen in an Heretick, who being about to die, repents; and because there is no room to reconcile him to the Church, according to the ordinary Course of Law, is absolved by some private Priest, when at the Point of

Death,

Death, and afterwards recovers; or if he doth not recover, is accused after his Death, to the Holy Office.

In these and the like Cases they say, that if any one will make use of the Testimony of a Confessor, yet the Inquisitor ought not to neglect the Course of Law upon account of such a Witness. *Gregory XIII.* in a certain Bull of Jubilee, *An. 1572.* declared, That Persons absolved in the penitential Court, are to be looked on as absolved only in that Court or Judgment, and that therefore they ought to make Satisfaction in the external or judicial Court. And therefore now no Person receives any Advantage by excepting that he received Penance in the internal Court. The Reason is, because penitential Punishment enjoined in the internal Court hath this Tendency, that hereby the Penitent may make Satisfaction to God and his Soul. Whereas temporal Punishment regards the Punishment of the Body, and is an Instance of publick Justice, whereby the Commonwealth is satisfied, which hath been injured by the ill Example of the Offender. And as there is a double Punishment, so there is a twofold Judge. One which enjoins Penance whereby the Criminal may be freed from eternal and spiritual Punishment, and this is the proper Priest; the other he who enjoins temporal Punishment, and this is the Judge of the Place where the Offence is committed, or also the ordinary Judge of the Offender. Hence it follows, that as the Priest is not the proper Judge of this Crime, but the Inquisitor and Bishop, Absolution given by a Priest, can't hinder the Process of the proper Judge.

However, no Action is to be carried on against a dead Person, or rather his Memory is not to be condemned, unless the Proof be full, according as 'tis determined by the Instruction of *Avila*, *An. 1498.* cap. 4. *Nor let any dead Person be cited to a Trial, nor any Process be carried on against his Memory or Reputation, unless there be full Proof that he may be thereby condemned.* When therefore there are any such preceding Proofs, the Fiscal instantly demands, by putting in a Bill, that such a Criminal may be proceeded against. This Accusation is exhibited to the Children or Heirs, or others whom it may concern, that the Memory of the Deceased should not be condemned; and if there are any Descendants of the dead Person, they are personally cited to defend his Memory, according to the *Madrid* Instruction, *An. 1561.* cap. 61. Thus also the Council of *Biterre* formerly ordained, cap. 18. *Proceed in like manner to the Condemnation of Hereticks or their Believers, who have not been canonically reconciled before their Death, giving first a Citation to their Heirs, or others, who, according to Law, ought to be cited, and allow them a proper Liberty*
of

of defending them. And that no one may pretend Excuse or Ignorance, the Children or Heirs of the Deceased, or any others whom it may concern, are also cited by publick Edicts to come and make a legal Defence for him, and a legal Term is assigned them for their Appearance. After such Term is elapsed, if no one of the afore-cited Persons appears, the Inquisitors appoint one to undertake the Defence, a pious and faithful Man, and fit for the Business, who is to propose the legal Excuses and Defences for the Deceased. To this Person they communicate the Accusation and Evidence against the Deceased, and enjoin him Secresy, and to confer concerning the Affair only with the Advocates of the Holy Office, that so the Process may be carried on according to the due Order and Course of Law. But if any one appears, he is admitted to defend the Deceased's Memory. Nor doth it signify, if the Person appearing as Defendant in this Cause, be noted for Heresy, or under Inquisition, or in Prison; because as it may happen, that both the Deceased, and the Defendant under Inquisition, may be both freed from the Prosecution carried on against them, 'tis allowed him, that no Prejudice may be done to any one, and because it may be for his own Advantage, to appear in Defence of the deceased Criminal, according as the *Madrid* Instruction hath determined in the afore-cited Place. And farther, the *Avila* Instruction, *An. 1498. cap. 4.* determines, *That the Process against a dead Person shall be speedily finished, and that the Inquisitors shall not put off the Cause for want of Proof, unless possibly 'tis likely, that within a little while, other kind of Proofs may arise.* But when the Criminal is not convicted upon full Proof, he is immediately to be absolved. And the afore-cited Instruction gives this Reason of the Decree; because unless it were thus, the Sons and Daughters of the Deceased under Prosecution, if his Cause should be put off, would not possibly find any Persons to marry with, and could not dispose of the Effects left by the Deceased. But if after the Deceased is absolved, there appear new Witnesses against him, there may be a new Action commenced against him, because, in this Crime, in Favour of the Faith, Sentences pronounced are not to be taken as an adjudged Case. And the former Evidences also shall retain their entire Force, and be added to those which arise anew, in order to make full Proof.

When all these Things have been duly observed, if it appears that the Deceased is to be absolved, the Sentence of Absolution is publicly pronounced, because as publick Edicts were set forth against him, at the Beginning of his Process, he is therefore to be publicly declared absolved; that

that he may be restored to his Reputation. But if his Memory is to be condemned, he is pronounced to have died in Heresy, his Memory is condemned, his Effects confiscated, his Bones dug up, and if they can be distinguished from the other Bones of Catholicks, to be publicly burnt.

And thus we read, that the Bones and dead Bodies of several Hereticks have been unburied, and thrown away, or burnt. *Peter John*, of the Diocese of *Biron*, followed and taught the Errors of *Joachim*, Abbot of *St. Flour*, and published concerning this Affair several Books upon the Revelation of *St. John*, and the Gospel of *Matthew*. These Books were afterwards diligently examined by many Doctors in Divinity by Authority of the Pope, and at a solemn Meeting at the Court of *Rome*, were condemned and burnt. *Peter* also himself, by Command of the same Prelate, was taken up out of Holy Ground, and by the general Vote and Sentence declared an Heretick, tied to a Stake and burnt. There lived also, some Years ago, in *Italy*, in the *Bresciano*, a certain Person, of so great Integrity and Severity of Life, that some affirmed that, when alive, he was the Successor of *John Baptist* himself, and on this account greatly revered him after his Death. The Inquisitor of the Faith having been informed by the Evidence of the Faithful, that he was tainted with Heresy, and that he died out of the Communion of Believers, with the Advice of the Bishop, commanded his dead Body to be unburied, and thrown into the Fire. At *Faenza* in *Lombardy*, an Abbot buried a certain Heretick in the Church of *St. Hippolytus* the Martyr. *Innocent* commanded the Abbot and Monks to take up the Corps, and to observe the Interdict his Church was laid under on that account. Master *Almericus* was also turned out of his Grave, and buried in a Field.

But that we may not look for more Examples than we need, we have a famous one of this sort of Condemnation, in the Synod of *Constance*, against *John Wickliffe*, in the eighth Session. In as much as by the Authority of the Sentence, and Decree of the Roman Council, and by the Command of the Apostolick See, after the proper Delays, Process was carried on concerning the Condemnation of *John Wickliffe*, and his Memory, Edicts being set forth, and Denunciations to summon all, if any there be, who are willing to defend him or his Memory; having farthermore examined Witnesses concerning the final Impenitence and Obstinacy of the said Wickliffe, by Commissaries deputed for this Purpose, and observed all Things to be observed, as the Order of Law requires in this Case, and his Impenitence and final Obstinacy being evidently proved by legal Witnesses, the Matter was

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was legally believed and assented to. And therefore, at the Instance of the Procurator of the Exchequer, and after putting forth an Edict for bearing of Sentence as on this Day, this Holy Synod declares and determines, that the said John Wickleff was a notorious Heretick, and died obstinately in his Heresy, by anathematizing him, and likewise condemning his Memory, and decrees that his Body and Bones, if they can be separated from the other Bodies of the Faithful, shall be taken up, and thrown out from the Burial of the Church, according to the Canonical and Legal Sanctions. And the Judges being interrogated, whether they were content, answered, Content. And they approved all the aforesaid Matters.

There was a like Edict in England against the dead Bodies of Bucer and Fagius: For when Cardinal Pool, the Pope's Legate in England, went, after Queen Mary's Inauguration, to the University of Cambridge, to restore all Affairs there, they began the Process of taking up the dead Bodies of Bucer and Fagius. The dead Persons were cited by a first and second Edict, and several Witnesses produced against them once and again. When no one appeared, who would undertake their Defence, they were at last condemned for Contumacy, and on the said Day Sentence was pronounced before all the Orders of the University, and their dead Bodies were ordered to be dug up, and delivered to the Queen's Officers. After some some few Days, whilst the Sentence was sent to London, an Order came from the Queen that the Punishment should be inflicted. Finally, on the Sixth of February the Bodies were dug up, and a large Stake fixed into the Ground in a certain Part of the Market-place prepared for that Purpose, to which the Bodies were tied, and a large Pile of Wood placed round them to burn them. After this the Chests were set upon end with the dead Bodies in them *, and fastened on both Sides with Stakes, and bound to the Post with a long Iron Chain. After the Pile was set on Fire, they threw a great Number of the Books of the Protestants into it, which they had gathered together, which were soon consumed by the spreading Flames. Not long after this, Brookes, Bishop of Gloucester, dealt in the same Manner at Oxford, with Catherine, the Wife of Peter Martyr, who dying about † four Years ago, was buried in Christ-Church, near St. Frideswide's Relicks, who was held in great Veneration

* They were buried, as Fox tells us, in Chests.

† Fox says, two Years.

in that College. For being convicted that she had embraced her Husband's Hereby, she was condemned, her Body taken up, carried upon Shoulders, and thrown upon a Ditch.

Besides this, the Sentence of such deceased Person is now brought forth in publick; on which the Name of the Person, whose Memory is to be condemned, is written in large Characters; and before which all the erroneous or heretical Articles, and all the heretical Deeds or Works, which have been legally proved against the Deceased, are recited in the same Manner in which they were done, as though the Deceased himself was living and present. This Sentence is delivered to the secular Court, which the secular Judge afterwards burns, as if he would have burnt the Deceased, if he had been living, and died obstinate.

RELATION IV

WE have a very famous Instance of such a Sentence pronounced against a dead Person, in this Age, by the Inquisition at Rome, in *Mark Antony de Dominis*, Dean of *Windsor*, as *Bzovius* relates it under the Year 1479. See 12 and following. He left the Church of Rome and the Arch-Bishoprick of *Spalato*, and came into England in the Year 1616, and published Books containing the Reasons of his Departure, and also concerning the Ecclesiastical Republick. These Books were condemned as heretical at Rome, and himself cited to appear and purge himself within six Months before the Congregation of the Universal Inquisition. As he did not appear, after having observed the usual Methods in that Office, he was pronounced an Heretic, excommunicated, deprived of all Dignities, Benefices, and Offices whatsoever, and to

For answer to that Doctor, Bishop of Ely, Nicholas Ormanus, R. Master, President of Citye-School College, did send *Margaret*, coming to Court as the Cardinal's Viceroy, summoned them, that they should not conceal any Thing that was demanded of them; and that being examined, their Answer was, that they knew not what Religion she was of, because they did not understand her Language. But then notwithstanding this, the Cardinal by his Letters ordered the Dean of *Windsore* to dig her up, which the Dean accordingly did that Evening, and buried her in a Dungeon. After this, in Queen *Elizabeth's* Reign, she was, by Order of *Parker*, Archbishop of *Canterbury*, *Grindall*, Bishop of *London*, and others, the Queen's high Commissioners, taken up out of the Dungeon, and buried in her former Place, and her Bones mixed with those of *Windsore*, that they might never afterwards know one from the other.

have incurred all the other Penalties which are prescribed by the sacred Canons.

Some Years after he privately abjured his Heresies, and having published a Writing declaring his Intention to depart out of *England*, he was received into Favour by Pope Gregory XV. and had granted him an House, Provision, Money, and other Things necessary for himself and Family; yearly, according to his Archiepiscopal Character, and besides this, a noble Ecclesiastical Pension. This Bounty of the Pope many Persons beheld with envious Eyes. More than this, he was restored to his Honours, so that he was afterwards rated in the Habit and Ensigns of his Dignity, in the Sessions, and all other Things, although he had never fallen from his Rank. These Honours, as *Belotius* says, puffed him up with Pride, which he discovered in his Gait, Countenance, and Conversation, as though he had been called, not to receive Mercy, but to triumph.

Not long after this he was informed against by certain Religious and others, before the Assembly of the Universal Inquisition, that he was not afraid privately to spread the Errors he had abjured, and that he commended a certain Agreement cried up by himself between the Catholics and Hereticks, and threw out Words contrary to the Authority of the Councils, and especially that of *Trent*, and that though oftentimes admonished, he would not abstain from such Discourses. Upon this they examined Witnesses concerning the Matters denounced; according to the Sanctions of the Law; and as he was particularly said to endeavour an Escape, and to gather up his Effects in order to return to his own Country, he was apprehended and put in Prison, not such as Hereticks are usually confined to, but in the Castle of *Adrian*, where the first Quality are usually imprisoned, some of his Domesticks being allowed to attend him.

Being thus taken into Custody, and his Writings according to Custom diligently examined, one was found amongst them concerning the Sacrament of Matrimony, in which there were several heretical Propositions. Upon this Friar *Desiderius Scalea*, a Predicant, Cardinal of *Cremona*, one of the general Inquisitors, whom the Pope had delegated to carry on the Inquisition, and to take Cognizance of the whole Cause, admitted other proper Witnesses, and such as were beyond all Exception; after which *Mark Anthony* himself being brought before him, confessed most of those Things which he had plainly abjured. He added, that he believed that the Church of *Rome* and the Protestants agreed in all fundamental Articles, and that as to other Things wherein they differed, they were not

equally necessary; but that it might be allowed to the Protestants to abound in their own Sense, at least till these Things were more fully examined, because it might be doubted whether they were sufficiently discussed and determined by the Council of *Trent*; and that therefore such Articles might be subjected to a new Disputation between Catholics and Protestants, chosen on each Side for this Purpose. For he believed that the Council, and especially that of *Trent*, had declared many Things as Matters of Faith, which did not at all belong to it; particularly as to Justification and Grace, as an inherent Quality, and the Efficacy of the Sacraments, *ex opere operato*, and many others. That the Articles which he called Fundamental, were such only as were necessary to Salvation, and not such as were controverted between both Parties; and that therefore he who denied them was not a Member cut off from the Church, but a living one, and joined to it in Faith and Charity. From whence he concluded, that notwithstanding this Difference, there might be a Union and Agreement between the Church of *Rome* and the Protestants. All these Things he guarded by this Rule, that the holy Scripture, as far as clear and express, was an adequate Rule of Faith, and in Defect of this, such Tradition as was certain, and that therefore no Christian Man ought to believe, with a divine Faith, any Thing not expressed in holy Scripture without any Obscurity; and Difference of Catholic Explications; or not delivered by the Apostles or Apostolick Men to the Church, without any Ambiguity whatsoever; and that beyond this Rule every Man was free to follow his own Opinion.

When he had answered that he had said and believed these Things, the Congregation of the Cardinals General Inquisitors thought proper to consult the Censors of Theological Propositions, who, examining the Affair before the Cardinal of *Cremone*, unanimously pronounced the Propositions heretical. And as there was farther a vehement Suspicion that his Abjuration was feigned, he was interrogated, whether he would persist in the said Heresies? He said, No; but that he repented of them, and was ready to detest and abjure them, as far as they should be declared Heresies by the Apostolick See. Whilst his Cause was in this State, and during the Time allowed him to make his Defence, and for granting him his Process, as he was consulting his Advocate, he fell into a very grievous Distemper, which so increased on him, that the Physicians despaired of his Life, and the rather, on account of the Season of the Year, and the Greatness of his Age, being sixty-six Years old. He abjured however before the Cardinal of *Cremone*, and other Officials of the Inquisition, the Heresies

he had confessed, and all others; and having given Signs of Repentance, and received the Sacraments, and sent a Messenger to the Pope, to give him Thanks, in these Words, *That by the Brevity of his Confinement, he had given him Opportunity seriously to think of the Salvation of his Soul, and to behold the Light, which he was too blind to discern before; and that therefore he was indebted to him, that by the Mercy of God he died with a good Hope*, after these Things he departed this Life. His Bowels, in order to prevent Reflections, were taken out by the most excellent Physicians of several Nations, who having carefully inspected his Inwards, all agreed that he died with a natural Illness.

His Corpse was deposited till the issue of the Trial, and four of his Relations, who then happened to be at Rome, were by Name cited by a publick Edict, and all other Persons whatsoever who thought themselves any ways concerned, to defend the Memory of the aforesaid *Mark Anthony*. And when his four aforesaid Relations declared they would not defend it, and no other appeared to do it, the Tribunal of the Inquisition chose some proper Persons for this Purpose, who upon carefully inspecting the Process, answered, that nothing appeared to them, whereby they could defend the said Memory according to Law, since from *Mark Anthony's* own Confession, they most clearly found that he died a relapsed Heretic. But that they might proceed to Sentence entirely, according to Law, they consulted with Divines and skillful Lawyers, and had the Matter proposed and carefully examined by them. At length they all agreed that the same Punishments should be executed upon the Memory, Body, and Effects of the Deceased, which would have been executed upon himself had he been alive.

Having taken this Resolution, the twenty-first Day of December, *Anno 1624*, was appointed for the pronouncing Sentence. Early in the Morning of it, so vast a Multitude had got together to *St. Mary supra Minervam*, where they generally give their religious Shews, that they were forced not only to shut up, but to guard the Gates with armed Men, and the great Area before the Church was so prodigiously thronged, that there was scarce Room for the Cardinals themselves to pass. The middle Isle of the Church, from the front to the South Pillar, was boarded in, with Boards above the Height of a tall Man, and the upper and lower Ends of it there were Gates, guarded by *Suizzeri*. On each Side there were Scaffold, running the whole Length of the Inclosure, in which were Seats for the Cardinals and other Prelates, and other Conveniences, to receive the Courtiers and other Noblemen standing or sitting. On the Right Hand

coming

coming in the sacred Council presided, on the Left Hand were placed the inferior Officers of the holy Inquisition, the Governor of the City and his Officials. Before the Pulpit was to be seen the Picture of *Mark Anthony*, drawn in Colours, covered with a black common Garment, holding a Clergyman's Cap in his Hand, with his Name, Surname, and Archiepiscopal Dignity, which formerly he had borne, inscribed upon it, together with a wooden Chest bedaubed with Pitch, in which the dead Body was inclosed. The rest of the Church was filled with Citizens, and a great many Foreigners, the Number of whom was at that Time larger, because the Jubilee that was at hand had brought them from all Parts to the City, that they might be present at the opening the sacred Gates.

Things being thus disposed, a certain Parson mounted the Pulpit, and with a shrill Voice, which rung through all the Parts of the spacious Church, and in the vulgar Language, that the common People might understand him, read over a Summary of the Process, and the Sentence by which the Cardinals Inquisitors General, specially deputed for the Affair by the Pope, pronounced *Mark Anthony*, as a Relapse into Heresy, to have incurred all the Censures and Penalties appointed to relapsed Hereticks by the sacred Canons, and Papal Constitutions, and declared him to be deprived of all Honours, Prerogatives, and Ecclesiastical Dignities, condemned his Memory, and cast him out of the Ecclesiastical Court, delivered over his dead Body and Effigies into the Power of the Governor of the City, that he might inflict on it the Punishment due, according to the Rule and Practice of the Church. And finally, they commanded his impious and heretical Writings to be publicly burnt, and declared all his Effects to be forfeited to the Exchequer of the holy Inquisition. After this Sentence was read, the Governor of the City and his Officers threw the Corps, Effigies, and aforesaid Writings into a Cart, and carried them into the *Campo Fiore*, a great Multitude of People following after. When they came there, the dead Body, which as yet in all its Members was whole and entire, was raised out of the Chest as far as the Bottom of the Breast, and shewn from on high to the vast Concourse of People that stood round about, and was afterwards with the Effigies and Bundle of his Books, thrown into the Pile prepared for the Purpose, and there burnt.

I was willing to give this long Story in all its Circumstances, not only because the Person himself was famous, and the Thing fresh in Memory, but chiefly because all Things usually practised in the Process against the Dead,

Dead, were here exactly observed, whereby the whole Scent of this Iniquity and Cruelty doth most fully appear.

C H A P. XXVIII.

Of the Manner of proceeding against Houses.

IN order to beget in the common People a greater Abhorrence of the Crime of Heresy, they are used to pull down, and level with the Ground, the Houses or Dwellings in which the Heretick or Arch-Heretick holds Conventicles and Congregations. Of this we have several Instances in the Book of the Sentences of the *Tholouse* Inquisition. This Demolition of Houses, in Detestation of the Crime of Heresy, was formerly appointed by the Council of *Tholouse*, An. 1229. *We decree that that House, in which an Heretick shall be found, shall be destroyed, and the Place itself or Ground be confiscated. And the Council of Biterre, Let the Houses also in which living or dead Hereticks, whether convicted or condemned, are or shall be found, if with the Knowledge and Consent of the Owners of such Houses, being of legal Age, be pulled down, and the Effects of all who then inhabit there be confiscated, unless they are able manifestly to prove their Innocence or just Ignorance. And not long after, Innocent IV. decreed this very Thing by a certain Writing, beginning, Ad exstirpanda, of which the Original is extant, in the Inquisition of Bologna, in these Words. The House also, in which any Heretick, Man or Woman, shall be found, shall be destroyed to the Ground, without any Hope of being ever rebuilt, unless the Owner of the House shall have procured the Discovery of them there. And if the Owner of such House shall have any other House contiguous to it, let all those Houses be likewise demolished. But Alexander IV. by a Constitution, declares, That this must be understood of the Out-Houses of such Dwelling, viz. that such House, with all other Buildings contiguous to it, i.e. the House itself, and Out-Houses, whether an Heretick, Man or Woman, shall be found in the House itself, or the Out-Houses, shall be destroyed; because the House, tho' divided into ever so many Dwellings, is nevertheless accounted to be one House.*

If the Owner of the House is not condemned of Heresy, but Hereticks have committed such Things in an House that did not belong to them, without the Knowledge of the Owner, the House is to receive no Damage. But if he knew it, or ought to have known it, 'tis confiscated, and being confiscated, remains subject to the Pleasure of the Inquisitor.

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for. The Materials of such Houses go to the Exchequer, or are decreed to be applied to other pious Uses. The Ground on which such House stood must not be shut in, but must always be uninhabited, that as it was formerly a Receptacle of wicked Wretches, it may from henceforth become a Place of Nastiness, and made a Dunghil and Stench. Excommunication also is threatened against all those who shall presume to rebuild it, or to inhabit or inclose it, or shall knowingly give any Advice or Assistance to it. Sometimes also the Ground on which the House stood, is sprinkled over with Salt, to denote its Barrenness; at which Time certain Curses and Imprecations are uttered. And finally, that there may be a perpetual Monument of its Infamy and just Punishment, a solid Stone, or a Marble Pillar four or five Foot high, is erected in this last Age, in the said Ground, with certain large Characters cut on it, containing the Name of the Owner of the House, shewing the Reason of its being destroyed, and signifying the Time, viz. under the Reign of what Pope, Emperor, or King, the Matter was transacted. In the former Age there was a famous Monument erected on this Account in *Spain*, in the noble City of *Valladolid*, where *Austin Cazalla*, although converted, and penitent, was, *An.* 1559. delivered as a Dogmatist to the secular Court, and his House pulled down, on the Ground of which there was a little Pillar erected, containing an Account of the Affair.

RELATION V.

The Resignation and Retreat of the Emperor Charles V. and the Suspicions had of him notwithstanding his Mortifications.

AS there happened great Troubles in *Spain* on account of Religion immediately after the Death of the Emperor *Charles*, we judged it very agreeable to the Design of this Work to give our Readers from the Writings of the famous *Famianus Strada*, an exact Detail of that glorious Monarch's surrendering all the valuable Things in this World for the Sake of Peace; that from thence it may appear how difficult a Thing it is even for the most piously zealous Christian to escape the Censures of suspicious Priests.

Charles V. lately so great an Emperor, now No-body, leaving the Court to the new Prince, staid a while in a private House, till the Fleet was
ready

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ready; then loosing from *Zeland*, with his Sisters, *Queen Eleanor* and *Queen Mary*, he sailed with a prosperous Wind into the Port of *Laredo* in *Biscany*. The Emperor was scarce landed, when a Tempest rising in the Harbour, scattered his whole Fleet, and swallowed up the Admiral herself, that carried him; as if she had farewel to *Caesar* and his Fortunes. It was reported, that when he landed, falling upon his Knees, he kiss'd the Earth, and said, he did his Duty to the common Parent; and that as he came naked out of his Mother's Womb, so he willingly returned to this Mother naked. But when he came into *Biscay*, and from thence to *Burgos*, being met upon the Way by very few of the *Spanish* Nobility, (who were not to be attracted by *Charles* alone, untended with his Titles) then he first found his Nakedness: Where to was added, that his Pension of a hundred thousand Ducats (reserved out of his vast Revenues, for Part whereof he had present Use, to reward his Servants, and dismiss them) was not paid him, but he was forced to wait for it at *Burgos*, not without some Indignation, till at last the mighty Sum was tendered. Which Affront, as he could hardly dissemble, so it gave many Men colour to report, that the Act was scarce passed, when *Charles* repented him of the Resignation of his Kingdoms. Though others say, he changed his Mind upon the very Day of his Resignment; because many Years after, when Cardinal *Granville* remembered King *Philip* of the Anniversary Day of his Father's Resignation, the King presently reply'd, And this is likewise the Anniversary of his Repentance for resigning. This Speech being spread by uncertain Rumour, went for current News, persuading the World, that the Emperor was not constant, so much as for a Day, to this unexampled Resolution: Unless perhaps, King *Philip* thought not that commendable in his Father, which he himself meant not to imitate. For my part, in all my Search into the Books, and Diaries of his Retirement, in the two Years Time of his private Life, I find no Mark of this kind of Repentance. But to proceed, he was carried in his close Chair to *Valladolid*, he staid there a while with his Grand-Child, *Charles* Prince of *Spain*, whose Nature did not please him very well. Thence he retired to *St. Justus*, a Monastery of *Theromitae*, the Seat he had long since chosen. It stands upon the Confines of *Portugal* and *Castile*, not far from the City of *Placentia*, in a healthful Air; made so by the Sweetness of the Valley and circling Hills, but especially by the temperate Winters. Into this Place, it is reported, *Sextorius* that most valiant General retreated, when he fled from the *Roman* Army, and that here he was treacherously slain.

Here

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Here at last, the Emperor *Charles* set bounds to his Sea of Cares, and built himself an House joining to the Monastery; the Model whereof was by his Command sent a Year before into the *Low Countries*, and approved of. It contained but six, at most but seven Cells, of twenty Foot in Breadth and Length, right Convent Lodgings; from whence was a Prospect, and Stairs landing in a little Garden, watered with a Spring, planted with Citron and Lemon Trees, that shot up their Flowers and Fruits to the very Windows. And this was the *Mausoleum*, wherein that mighty Emperor, not contented with one World, inclosed and buried himself alive; and to this narrow Compass was that Giant lessened; that boasted to stretch his Hand further than *Hercules*: So easily will Nature shrink into her own Condition, if Pride, that puffs up and distracts her, do but once evaporate. Upon his coming to this Monastery, of threescore Servants, chosen out of his vast Retinue, he sent the greatest Part to *Serandillo*, the next Town, intending to use them if there should be Occasion; keeping only twelve Men about him, and one Horse; nor was his Furniture better than his Attendance, but all measured by the strict Rule of Necessity. And truly it was a Miracle to see *Charles* the Emperor enamoured with Solitude, to forget his Cares, to be constant to his Resolution, and so much estranged from his old Customs, and almost Nature, that neither Gold, which then in abundance the *Spanish* Fleet brought him from the *Indies*, nor the Noise of War, in which he used to delight so much, could any way unfix his Mind, or disturb his Quiet.

This Imperial Hermit so spent his Time, that he daily bestowed Part of it upon his sick and languishing Body, Part upon God and his Soul. For sometimes he rode up and down the Grounds with one Footman; sometimes he quattered his Garden into little Beds, set Flowers, and planted Trees with his Triumphant Hands, as once *Dioclesian* did at *Salon*, when he likewise had resigned the Empire. He often practised to make Watches, learning the Art of *Jannellus Turrianus*, the *Archimedes* of his Time; making many Experiments of his Water Works. Nay, his said, the Aqueduct of *Toledo*, which *Gannellus* had then modelled, was much advantaged by the Emperor's ingenious Fancy. And such a Form as they together had conceived in that two Years Retirement, such was *Turrianus* his Water-Work, which after the Emperor's Decease, by a new Miracle of Art, drew up the River *Tagus* to the Top of the Mountain of *Toledo*. This was the Man that in the Emperor's Solitary Life daily recreated his Spirits, by showing unheard of Engines and Inventions; For often, when the Cloth was taken away after Dinner, he

brought upon the Board little armed Figures of Horse and Foot, some beating Drums, others sounding Trumpets, and divers of them charging one another with their Pikes. Sometimes he sent wooden Sparrows out of his Chamber into the Emperor's Dining-Room, that would fly round and back again. The Superior of the Monastery, who came in by Accident, suspected him for a Conjuror. He likewise framed a Mill of Iron that turned itself, of such a subtil Work, and Smallness, that a Monk could easily hide it in his Sleeve, yet daily it ground as much Wheat as would abundantly serve eight Persons for their Day's Allowance. But these Sports were more frequent at the Emperor's first Coming. Afterwards, warned by his Disease, that still rung the Lament of Death, he more sparingly gave them Admittance only at such Hours as his Pain left him, for now he made it his first Care, often to come to Church at Times appointed for the Monks to sing Prayers. He often read the Lives of Saints, and discoursed of holy Things more frequently than he accustomed; he washed out the Stain of his Conscience, by Confession of his Sins, and eat the Bread of Angels, though sometimes not Fasting, for which he had a Dispensation, by reason of the Weakness of his Stomach, granted him by the Pope. Nay, with a Discipline of platted Gords, he put himself to constant sharp Penance for his former Life. Which Discipline King Philip ever had in great Veneration; and a little before his Death commanded it to be brought to him, and as it was stained in the Blood of Charles his Father, he sent it to his Son Philip III. And they say, it is still preserved among the pious Monuments of the House of Austria. Lastly, upon Occasion of those Funeral Obsequies, which he celebrated for his Mother, on the Anniversary of her Decease, a new Desire set him a longing to celebrate his own Funerals. Advising hereupon with John Regula, a Father of the Convent, and his Confessor, he told him it was, though without Precedent, yet a pious and meritorious Act. He commanded immediately, that all Funeral Preparations should be made. A Horse was therefore set up in the Church, Torches lighted, and his Servants in Black stood about it; the Service for the Dead being mournfully sung by the religious Men, he himself surviving his own Funerals, beheld in that Imaginary last Office, the true Tears of his Attendants. He heard the Hymn, wishing him happy Rest among the Saints; and he himself singing with them, prayed for his own Soul, till coming near him that officiated, and delivering him the Torch he held lighted in his Hand, with Eyes lifted up to Heaven, he said, *Thou great Judge of Life and Death, I humbly beseech thee, as a Priest takes* For often, when the Cloth was taken away after Dinner, he brought from

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from me this Wax-light I offer, for thou at last in thine own good Time, wilt graciously please to receive my Spirit, which I commend into thy Hands, Arms, and Bosom. Then, as he was in a loose Mourning Garment, he lay down upon the Floor, all the Church beginning to weep a-fresh, and as if he had been laid forth to take their last Farewel. It seems, the Emperor by these feigned Rites, play'd with approaching Death; for two Days after his personated Obsequies, he fell into a Fever, which by little and little consuming him, the Archbishop of Toledo gave him all the Supplies by the Christian Church appointed for the struggling Soul, and the Monks that came frequently out of their Cells into his Bed-Chamber, prayed God to send their Guest a happy Convoy to the Mansion of the Blessed; and on the Eve of St. Matthew the Evangelist, in the eight and fiftieth Year of his Age, with a great Sense of Piety and Religion, he departed this Life. His Death was attended with conspicuous Signs in Heaven and Earth; for a little after he sickened, there was seen a blazing Comet in Spain, at first somewhat dim; but as his Disease increased, so it grew in Brightness, and at last shooting its fiery Hair point-blank against the Monastery of St. Jusus, in the very Hour the Emperor died, the Comet vanished. Nor happened this without Admiration: In the Emperor's Garden sprung a Lilly, which at the same time put forth two Buds; the one, as it is usual, blowing in the Month of May; the other, though as well watered, gave no Signs of blowing all the Spring and Summer; but that Night wherein the Emperor's Soul put off the Garment of his Body, the Lilly suddenly breaking her Chalice, with an unseasonable and unexpected Spring, begun to blow. It was likewise observed by all, that this Lilly, laid upon the high Altar for Men to view, was received by all as a happy and white Omen.

Thus Charles V. when he had enjoy'd his Father's Kingdoms forty Years, the Empire six and thirty, and himself two, after the Resignment of all these, left it doubtful, whether he merited more Honour in so long governing the Empire, and many Kingdoms, or in relinquishing them all together. Yet I am not ignorant, that this Act was then diversly censured; and at this Day, the Emperor's Resignation is an Argument for Rhetoricians to declaim upon in the Schools, and Politicians at Court. But omitting the Conceptions of these Men, and such Builders of Castles in the Air, I will give you the common and most probable Opinions. Many had one Reason before their Eyes, viz. his Infirmity of the Gout, which from his fiftieth Year gave him no Intervals, but continually

tormented him, and forced him (as he professed at his solemn Resignation) by a safe Prevention, both for his own, and his Kingdoms Good, to transfer the Weight of that Government, which he knew himself no longer able to sustain, upon a Man in the full Strength of Youth and Courage: Tho' subtiler People, that dive into the Secrets of Business, and slight all that is visible, suspected that the Emperor, terrified with the Fortune of *Henry II. of France*, held it safer to encounter him with the Youth of his Son, ambitious and capable of Government, than with his own declining Years and Victories. They likewise observed, that from the Time he tried in vain to recover the Town of *Metz* from the *French*, and sat down before it with an Army of one hundred thousand Men, whereof he lost no less than forty thousand, he contracted such inward Grief, especially having been forced some time before, by *Maurice Duke of Saxony*, to save himself by an unhandsonde, at least an unaccustomed Retreat, that for some Days he kept his Chamber, and ever after his Disease grew sharper. Nay, it was commonly believed, that *Cesar's* Fortune, glutted and grown coy, began to retire, and that the happy Genius of this so long unconquered Emperor, was fled to *Henry the French King*. *Cesar* himself, not able to dissemble it, being heard to say, *It seems Fortune is the young Man's Mistress*. And therefore for his Devise of *Heracles's Pillars*, and the Motto, *More beyond*, there was painted a Crab-Fish, the Words, *More on this Side*, as Jeer agreeable with the Times. Some said, The Emperor did like a witty Gamster at Dice, who having drawn a great Sum of Money in many Hours Play, held his Hand betimes, and suffered not himself to be strip of all his victorious Heap at one Throw. Contrary to this was the Sense of others, that imputed *Cesar's* Act to his insatiable Ambition. For being of a Spirit as covetous of Fame, as ever any since the first *Cesar's* Times, when he conceived it arrived at the highest Point of Glory, by so many Victories over all kinds of Enemies, and these carried with so strange a Fortune, that hardly any one took the Field against him, whom he saw not vanquish'd at last, he laid down and spurned away the greatest Crowns and Scepters of *Europe* and *America*, by this unusual Conquest aiming at new Titles of Honour, not easy to be equalled by Posterity. An obscure Report was likewise spread abroad, that the Emperor was moved with the Complaints of his Son *Philip*, daily wounded with the Scorn and rhiming Libels of the *English*, that brooked not in their Island a *Spanish* Lord. The common People therefore called him not King, but the Queen's Husband. Upon this Occasion, he more passionately represented

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to his Father his Fortune and Condition, to work him the sooner to resign the *Low Countries*, having had some Intimation of the Emperor's Intent, and like Children born of young Parents, that come old to their Inheritance, impatiently expected the good Hour. But there are some who make another Construction, and affirm, that the Emperor pitched upon this Resolve, touched only with Religion, and pricked in Conscience about many Things, for which he thought it best to make his Peace betimes with the Divine Majesty, before he was summoned to give in his Accounts: For the Emperor's Spirit, not altogether deaf to Piety, was struck with a sad Remembrance of divers Actions. That he had made a League with *Henry King of England*, excommunicated for his Sake by the Bishop of *Rome*: Wherein the Injury he received by King *Henry's* Divorce from the Emperor's Great Aunt, *Queen Katharine*, and his constant Promise never to hold Amity with any heretical Prince, unless reconciled to the Church of *Rome*, were both weakly undervalued to advance his inexorable Hatred to the *French*. Besides, he had meddled in the Cause of Religion, taking upon him the Pope's Office, and commanding a Book to be published in *Germany*, which contained a Confession of Faith, to the Observance whereof all should be obliged, till the Council of *Trent* were ended. Which Book, though in many Places it was agreeable to the Catholic Church, yet some were contrary, as the Marriage of Priests, and receiving the Communion under both kinds: For being penned by a *Fansie* of Catholics and Hereticks, as it often happens, it pleased neither Side. Lastly, at the Storming and Sackling of *Rome*, he consented to the Pope's Imprisonment, and would have had him carried into *Spain*, but that publick Infamy forced him to decline it: Yet would he not own the woeful Plundering of the sacred City: Nay, when the News was brought him into *Spain*, he prohibited by Proclamation, the publick Joy for his Son *Philip's* Birth, and putting on Mourning, commanded an Adjournment of the Courts of Justice; yet he not only omitted doing Justice upon those that robbed the Town and Churches, but he also used their Service for seven Months together, to keep the Vicar of Christ Prisoner in the Castle of *St. Angelo*, yea close Prisoner, and in so wretched a Condition, that an old Herb-Woman pitying his Case, hid some Lettice in the Castle-Ditch, which a Boy was to give him up by a Cord; but the Captain of the Guard meeting her, furiously with his own Hands hanged her upon the Castle Gates, which cruel Barbarity was committed before the Eyes of the poor Bishop. Finally, the Emperor, having no Sense of his great Calamity, compelled the Pope

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as if he had been a profane Enemy, to purchase his Liberty with a great Ransom. No doubt but such wicked Deeds, as they were prejudged by a common Execration, so *Charles V.* acknowledged and condemned them in himself, and their Stings left in his Soul caused that Prince to do this last Act for pacifying the offended Deity. Yet some there are that excuse the Emperor in point of Crime, and lay much of the Fault upon the Age, the War, and an armed Multitude, whose Fury once awaked, is not to be governed by one Man's Hand. This I find, was most of the Discourse of the Times touching the Resignation of *Charles V.* and at this Day it is credited or slighted with like Faction, and Ignorance of Truth. For my own Part, though I know great Designs are driven on by many Causes, as great Ships by many Oars, yet I cannot persuade myself, that the Fear of mutable Fortune, or any lighter Cause, contributed to *Cesar's* Determination. Because almost ten Years before his Death, about the very Harvest of his Victories, in his last Will and Testament, made at *Auspurg*, he mentioned the resigning of his Kingdoms; and long before that Time, I am well assured the Emperor was inclined to divest himself of all the Cares and Baggage of the World, the better to make his speedy Retreat to Heaven. This he only imparted to *Francis Duke of Gandia*, who afterwards entered into the Society of *Jesus*, with a severe Injunction, that he should not reveal that Intention to any living, which the Emperor resolved to put in Execution, as soon as the War gave him any Time to breathe. Nor when he had surrendered the Empire, were Things in such a Condition, to make him repent his Fortune: For a while after, the Siege of *Metz* was raised: *Terwin*, a strong Fort in the *Low-Countries*, and *Hedin*, where anciently the Princes of *Artois* kept their Courts, were taken, and in both Places many of the *French* Gentry slain. Nay in *Italy* Part of the Isle of *Corfica* was in Despight of the Enemy preserved for the *Genese*s; and what was yet happier, the City *Siena* was attacked, the *French* beat out of it, and almost out of all the Dutchy of *Florence*.

But I believe what he had before designed was then resolved, when his Disease came to that Height, that he often fainted away: especially when he heard of his Mother's Death, he began to make sure Account that his own Fate drew nigh: So that he was many Times persuaded, that he heard his Mother's Voice, calling her Son to her: Which Opinion took the deeper Impression, because *Vesalius*, Physician to the Emperor, stuck not to tell him that his Life could not continue: This caused the Emperor speedily to do what he had so often determined, lest Death

that

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that followed close, should prevent him. And at that Time he was often heard to repeat the Words of one of his Commanders, an old Officer of Horse, who resolving to leave the World, petitioned the Emperor for a Discharge from Service. And that Prince urging him to give a Reason for his new Resolution, he answered, *That between the Business of Life, and the Day of Death, a Space ought to be interposed.* Which ingenious Sentence printed itself in the Emperor's Heart, that had been long upon the like Meditations. When the End of his Life was visible, he held it his best Course to lay hold upon that Space, beyond which there is nothing. Wherein neglecting the Affairs of others, he might only regard his own Concernment, rescue himself from external Cares, confining himself only to himself, before the Hand of Necessity should arrest, and carry him to God's Tribunal, guilty in so high a Degree of mortal Happiness. To that Purpose he retired into this Sanctuary, where Solitude gave him Leisure, and the Sanctity of the Place Encouragement and Assistance. Indeed, he that observes either his Magnanimity in resigning his vast Empire by Sea and Land, not leaving a Span of Ground subject to his Power, or his Constancy to the cloistered and private Life he had undertaken, in that two Years Time wherein he extended his Victory over himself, or his holy End, which did not surprize him, but came when he was prepared for Death in Life, which is the hardest Task; he, I say, must needs acknowledge it to be no trifling Cause, or unworthy of so great a Soul; but an excellently pious, and indeed a heavenly Motive, that brought the Emperor to this Resolve.

How zealous soever the Emperor appeared in his Resignation, his Instructions to his Son, his Retirement, his long and warm Devotions, and in the latter Actions of his Life, yet in as much as *Lutheranism* was extremely dreaded by the avaricious Priests, and as the Politicks of the Court of *Spain* required its holding a good Correspondence with the Clergy, Way was given to the Prosecution of his Servants. Some Stir happened about his Will, and as it has been suspected that he began to grow wrong in his Senses, as his Mother had been for many Years before her Death, 'tis very probable old Discourses might have escaped him. However it were, certain it is, that Sparks which flew from this Fire lighted a dreadful Persecution against the Faithful, of which the following Authentic Account of the *Auto de Fe*, in which the famous Dr. *Cacalla* suffer'd, will be a glaring Proof.

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In the Year 1556, May 21. in the Town of *Valladolid*, where the Council of the Inquisition is generally kept, the Inquisitors had brought many Prisoners, both of high and low Estate, to the Number of thirty; also the Coffin of a certain noble Woman, with her Picture lying upon it, which had been long dead, there to receive Judgment and Sentence. To the hearing of which Sentence, they had erected in the said Town three mighty Theatres or Stages; upon the first was placed the Lady *Jane*, Sister to King *Philip*, and chief Regent of his Realms; also Prince *Charles*, King *Philip's* Son, with other Princes, and States of *Spain*; on another Scaffold mounted the Archbishop of *Seville*, Prince of the Synagogue of the Inquisitors, with the Council of the Inquisition, also other Bishops of the Land, and the King's Council with them.

After the Princes and Spiritual Judges, and the numerous Attendants on this Solemnity, were seated in Order, the thirty Prisoners were brought in, dressed in their *Sanbenito*, which is a Vesture of yellow Cloth, coming both before and behind them, spangled with red Crosses, and having burning Torches in their Hands; a Crucifix covered with black Linen, was borne before them, in token of Mourning. Those who were to receive Sentence of Death, had Mitres of Paper upon their Heads, which the *Spaniards* call *Coaca*; being produced in this Manner, they were placed in Order, one under another, as they were esteemed culpable: The first who stood up, was Dr. *Cacallas*, an *Austrian* Friar, a Man notable and singular in Knowledge of Divinity, Preacher formerly to *Charles V.* Emperor, both in higher and lower *Germany*.

Things being thus disposed, there followed a Sermon preached by a *Dominican* Friar, which lasted about an Hour; after that was finished, the Procurator General, with the Archbishop, went to the Stage, where the Princes and Nobles stood, to minister a solemn Oath unto them upon the Crucifix painted in the Mass-Book; the Tenor of the Oath was this:

Your Majesties, &c. shall swear, that you will favour the Holy Inquisition, and also give your Consent unto the same; and not only that you shall by no manner of way, hinder and impeach the same, but also you shall imploy the utmost of your Help and Endeavour hereafter, to see all those to be executed, who shall swerve from the Church of *Rome*, and join themselves to the Sect of *Lutheran* Hereticks, without respect of any Person or Persons, of what Estate, Degree, Quality, or Condition soever they be.

Thus

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Thus much for the first Article of the Oath: the second is as followeth.

Item, Your Majesties shall swear, that you shall constrain all your Subjects to submit themselves to the Church of Rome, and to have in Reverence all the Laws and Commandments of the same, and also to give your Aid against all them, whosoever shall hold of the Heresy of the Lutherans, or take any part with them.

When all the Princes and States, every one in their Degree, had taken their Oaths, then the Archbishop lifting up his Hand, gave them his Benediction. This solemn Piece of Pageantry being over, the poor Prisoners were called out, the Procurator began first with Dr. *Cacalla*, and so proceeded to the others in Order, as placed in the following Table, with their Names and their Judgments described.

I. Dr. *Cacalla*, a Friar Augustine.

Before the Pope's great Proctor, or Collector *Fiscal*, first was called forth Doctor *Austin Cacalla*. This Doctor was a Friar of *Austin's* Order, and Priest of the Town of *Valladolid*, and Preacher some time to the Emperor *Charles V.* a Man well accounted of for his Learning, who, for that he was thought to be as the Standard-Bearer of the Gospel, and a Preacher and Doctor to the Lutherans, therefore he being first called for, was brought from his Stage, nearer to the Proctor *Fiscal*, there to hear the Sentence of his Condemnation: Which was, that he should be degraded, and presently burnt, and all his Goods confiscate to the Profit and Advancement of Justice.

II. *Francis de Bivero*, Priest of *Valladolid*, and Brother to Dr. *Cacalla*.

The second Prisoner was *Francis de Bivero*, his Brother, Priest also of *Valladolid*, who received likewise the same Sentence of Condemnation. And to the intent he should not speak any thing to the Prejudice, or against the Abuse, of the sacred Inquisition, as he before had done, both within and without the Prison, with much Boldness, and also because he was much favoured of the People, to the end therefore that no Commotion should come by his Speaking, his Mouth was so stopped, that he could not utter one Word.

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III. Dame Blanch de Bivero.

The third was Dame *Blanch*, Sister to the two above-mentioned, against whom also was pronounced the same Sentence as upon her Brethren.

IV. John de Bivero.

The fourth was *John de Bivero*, Brother to the rest, who was also judged an Heretick, and condemned to perpetual Prison, and to bear his *Sanbenito* all his Life long, which is an Habitment of Dishonour.

V. Dame Constance de Bivero, another Sister.

Dame *Constance de Bivero* was the fifth Sister to the other, and Widow of *Ferdinando Ortiz*, dwelling some time at *Valladolid*, was also condemned to be burnt with her Brethren.

VI. The Coffin with the dead Corps of Dame Leonore de Bivero, the Mother of them all.

The sixth Thunderbolt of Condemnation, was thundered against this Coffin, and the poor dead Corps, which had been long dead; above the Coffin was her Picture laid, which was also condemned with her dead Body, to be burned for an Heretick; and yet I never heard of any Opinion that this Picture did hold either with, or against the Church of *Rome*. This good Lady, while she lived, was a worthy Maintainer of Christ's Gospel, with great Integrity of Life; and retained divers Assemblies of the Saints in her House, for the Preaching of the Word of God. In fine, her Corps and Picture also being brought before the *Fiscal*, were condemned to be burned for *Lutheran* Hereticks, and all her Goods to be seized for the Benefit of the superior Powers, her House to be utterly rased, and cast down to the Ground; and for a Memorial of the same, a Marble Stone was appointed to be set up on the Place, whereon the Cause of her Burning should be engraved.

VII. Mr. Alfonse Perez, Priest of Valence.

In the seventh Place, was condemned Mr. *Alfonse Perez*, Priest of *Valence*, first to be degraded, and afterwards burnt for a Heretick; all his Goods confiscate, and likewise seized to the Behoof of the Superiority.

When these seven had received their Sentence, then the Bishop of *Valence*, in his Pontificalibus, caused Dr. *Cacalla*, Francis his Brother, and *Alfonse Perez*, to be apparelled and revested in priestly Vesture: Which done, he took from them, first the Chalice out of their Hands, and so all the other Trinkets in their Order, according to the accustomed Solemnity. And thus they being degraded, and all the priestly Unctions taken from their Fingers, also their Lips, and their Crowns rased, their *Sanbenito* was again put over their Shoulders, and the Mitres of Paper upon their Heads. This being done, Dr. *Cacalla* began to speak, praying the Princes and Lords to give him Audience, but that not being granted unto him, he was rudely repulsed, and returned again unto his Standing. Only thus much he forced them to hear: He protested clearly and openly, that his Faith, for which he thus suffered, was not heretical, but consonant to the pure Word of God, for which he was ready to suffer Death, as a true Christian, and not as a Heretick; besides many other worthy Sentences of great Consolation, which he there uttered in the mean Space, while the Judges were busy in their Sentences against the Residue of the Martyrs.

VIII. Don Peter Sarmiento, Knight of the Order of Alcantara.

The eighth that was brought before the Fiscal was Don *Peter Sarmiento*, Knight of the Order of *Alcantara*, dwelling at *Valence*, and Son of the *Marquis de Pozo*. He was pronounced an Heretick, and adjudged to bear the Mark and Habit of Dishonour all his Life; condemned likewise to perpetual Imprisonment, with the Loss of his Order, and of all his Goods, to whom moreover it was enjoined never more to wear any Gold, Silver, Pearls, or any precious Stone about him.

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IX. Dame Mencia, Wife of the said Peter.

Ninthly, after him was called Dame Mencia his Wife, who being proclaimed an Heretick, was condemned to the same Punishment, as her Husband was before.

X. Don Louis de Roxas, Son and Heir of the Marquis de Poza.

He also being declared an Heretick, but great Intercession being made for him, he was only condemned to wear his *Sanbenito* unto the Town-House, and his Goods to be confiscate.

XI. Dame Anne Henriques.

In the eleventh Place followed Dame Anne Henriques, Daughter of the Marquis *Afcanzes*, and Mother to the Marquis de Poza, then Wife to the Lord *Alphonfus de Fonesco*: She in like sort was declared an Heretick, and condemned to wear her *Sanbenito* to the Town-House, and her Goods to be confiscate.

XII. Christopher del Campo.

Christopher del Campo was the twelfth, who after he was declared an Heretick, was adjudged to be burnt, and his Goods to be seized.

XIII. Christopher de Padilla.

The like Sentence was also given against Christopher de Padilla, Citizen of *Samora*.

XIV. Antonio de Huezuello.

The fourteenth was Antonio de Huezuello, Batchelor of Divinity, dwelling at *Toro*, who after he was proclaimed an Heretick, and his Goods confiscate, was condemned to be burnt; and moreover had his Mouth stopped, lest he should make a Confession of his Faith unto the People.

XV. Katharine

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XV. Katharine de Roman

Who being called from her Standing, received the like Sentence, viz. to be burnt, and her Goods confiscated.

XVI. Frances Errem.

The sixteenth was *Frances Errem*, born in *Pegnaranda*, whom they condemned to be burnt alive, and all her Goods confiscated.

XVII. Katharine Ortega

The seventeenth was *Katharine Ortega*, dwelling in *Kalladolid*, Daughter of *Hernando Piazco*, *Fiscal*, and Widow of Captain *Louis*, she being reckoned to be a School-Mistress to the rest, was condemned to be burnt, and her Goods confiscated.

XVIII. and XIX. Isabel Strada and Jane Valesques

In the eighteenth and nineteenth Place stood *Isabel Strada* and *Jane Valesques*, both of *Pedrosa*: They were both condemned to be burnt, and their Goods confiscated.

XX. A Smith

A certain Workman of white Iron, for entertaining *Assemblies* in his House, and for watching with them, received the same Sentence, to lose both Life and Goods for the Gospel's Sake.

XXI. Goncalo Vaez, a Portugal Jew

The twenty first was a Jew of Portugal, named *Goncalo Vaez* of *Lisbon*, who had been formerly baptized, but since had again returned to *Judaism*, who, for more Shame to the other, was put amongst them, and condemned to undergo the same Sentence, viz. to be burnt, and his Goods seized.

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XXII. Dame Jane de Silva.

After this, was called Dame Jane de Silva, Wife to John de Biñero, Brother to Dr. Cacalla: She was enjoined to wear a Mantle all her Life, for Penance, in token of her Trespas, and all her Goods confiscated.

XXIII. Leonore de Lisueros Wife of Huezuello.

The sixteenth was Francis Berra, born in Portugal, whom they condemned to be burnt in like manner was she called.

XXIV. Marina de Sajavedra.

Item, Marina de Sajavedra, Wife of Cisneros de Soreglio, the being of Hernando Pizarro, Fiscal, and Widow of Captain Lopez, she being

XXV. Daniel Quadra.

Item, Daniel Quadra, born at Pedrosa; all which three Persons were pronounced Hereticks, and condemned to do Penance in perpetual Prison, with their Mantles, and Confiscation of all their Goods.

XXVI. Dame Mary de Royas.

The twenty sixth was Dame Mary de Royas, Sister of the Marquis de Royas; but because she was in a Cloister, and well descended, she was only condemned to bear her Mantle to the Town-House, and all her Goods confiscated.

XXVII. Anthony Dominick.

He being brought out, was condemned to three Years Penance in Prison, for his Heresy, clothed with a Mantle of Yellow, and all his Goods confiscated.

The twenty fifth was a Jew of Portugal, named G. who had been formerly baptised, but since had again returned to Judaism, who for more shame to the other, was put amongst them, and condemned to undergo the same sentence, viz. to be burnt.

XXVIII.

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XXVIII. Anthony Bafor, an Englishman.

Last of all was produced *Anthony Bafor*, who, because he was an *Englishman*, was judged to bear his Mantle to the Town-House for his Crime, and then was thrust into a Cloister for one Year, to the Intent he might there be instructed in the Catholick Ordinances of the Church of *Rome*, as they are called.

MADAM

After these Sentences were pronouced, they which were condemned to be burnt, with the Coffin of the dead Lady, and her Picture upon the same, were committed to the secular Magistrate, and their Executioners, who were commanded to do their Endeavour. Then they were all immediately taken, and every one set upon an Ass, with their Faces turned backwards, and led, with a great Number of arm'd Soldiers, unto the Place of Punishment, which was without the Gate of the Town, called *Del Campo*.

When they were come thither, there were fourteen Stakes set up, at equal Distance one from another, whereunto every one severally being fasten'd according to the Fashion of *Spain*, they were all first strangled, and then burnt to Ashes, except *Anthony Huexuillo*, who, because he had both within and without the Prison, vehemently detested the Pope's Spirituality, therefore he was burnt alive, and his Mouth stopped from speaking. And thus these faithful Christians, for the Verity, and pure Word of God, were led to Death as Sheep to the Shambles; who not only most piously did comfort one another, but did also so exhort all that were present, that every one marvelled greatly, both to hear their singular Constancy, and to see their quiet and peaceable End.

RELATION VI. VXX

Of the Detention of Mr. Louis RAME, in the Prisons of the Inquisition, in the Kingdoms of Mexico and Spain, and of his happy Deliverance, sent by him to Madam De—

MADAM,

IN Obedience to what you have been pleased to command me, I send you in Writing a Relation of my Misfortunes, and of my happy Deliverance. I would not, Madam, have undertaken to let it appear in Writing, had not you commanded me to do so, having never been but a poor Sea-faring Man: You will not find my Discourse and Style very pleasing; but all that I have taken care of, Madam, hath been to relate the exact Truth. Do not wonder, Madam, if I set down the very Dates when several Things happened; for I had no other Occupation or Thought, whilst I was in the Inquisition, which has made me retain the Memory of every Thing as fresh in my Mind, as if it had happened but Yesterday. I have thought needful also, Madam, and let you know what relates to the Ways and Means of my Deliverance, and to that Effect I have joined to my Relation several Pieces which have been useful for the obtaining my Liberty. You'll see amongst them Copies of the Letters which were presented to the Queen of Spain, when she passed through Bourdeaux, by my Wife Elizabeth Menigand, accompanied by the Abbot De Maniban of Bourdeaux, as also the Solicitations made to the Spanish Ambassador, who came to meet the Queen, and to accompany her into Spain; the Copy of a Letter presented to the Marshal D'Etrée, before he sailed with his Squadron for America; the Copy of a Letter writ by me to the French King, and sent to Paris; another Copy of a Letter which his Excellency the Marquis De Feuquiere, the French Ambassador at Madrid, did me the Honour to write to me; the Copy of a Petition, presented by Monsieur Etienne Morel, Merchant in Sevil, to the Marquis De las Minas, imploring his Assistance; the Copy of a Letter of Recommendation to the Governour of Cadix, and to the General the Conde D'Aguiar; the Copies of several Letters of Persons who did their Endeavours for my Deliverance; and, after all, the Copies of those of Don Pedro Catalan, Consul of the French Nation at Cadix, who did much towards my Release out of the Prison of that Place,

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Place. I beg of you to receive it all kindly from him, who will always take as a great Honour the subscribing himself,

Madam,

Your most humble and

most obedient Servant,

LOUIS RAME.

The EXAMINATION of LOUIS RAME, by the Inquisition of Mexico in New-Spain, &c. in 1679, 1680, 1681, 1682.

THE first Time of my being brought before the Tribunal was the third of February 1679. for which Purpose I was taken out of a Prison in the lowermost Court, where I had been put in at my Arrival from Vera Cruz. They made me swear to tell Truth, and afterwards lay my Hand upon a silver Cross, and then asked me the following Questions.

Quest. Was you ever, are you now, or will you be, of our Holy Faith, and Catholick, Apostolick, and Roman Religion?

Ans. I never was, am not, nor ever will be, of your Religion.

Q. What is your Name?

A. Louis Ramé.

Q. What Age are you of?

A. Thirty eight Years old.

Q. Where was you born?

A. At St. Pierre d'Olleron, in the Province of Xaintonge.

After these Questions they went on reading what followeth:

Louis Ramé, Heretick, born at St. Pierre d'Olleron, in the Province of Xaintonge, thirty eight Years old, black Hair, burnt in the Right Cheek, wanting one of his Nails, as also one Tooth loose in the inferior Jaw, well-proportioned in Body, something tall, brought in the sacred Prison Number 19. But before this, they had felt my Pockets, and taken off

THE CATECHISM OF THE PROTESTANT

my Father and Mother, and with them I had an opportunity to go on catechising me in the following Manner: And thus they went

Q. What Religion are you of?

A. Of the Religion instituted by our Saviour Jesus Christ, and the Evangelick and Apostolick Law.

To which they answered me, *Thou liest*; and then went on again with these Questions.

Q. What Religion are you of?

A. Of the Protestant Religion.

Q. Why do you call it Protestant?

A. Because of the Protestation made, that they did not separate themselves from the Religion of Jesus Christ, but from the Augmentations made to it by the Popes of Rome.

Q. Where was you baptised?

A. At St. Pierre de La Be.

Q. By whom?

A. By Monsieur Cherdavoine, Minister of the Word of God.

Q. Who was your Godfather?

A. Louis Raoul.

Q. Who was your Godmother?

A. Mary Challeron.

Q. In what Manner was you baptised?

*A. After the Minister having preached a Sermon, the Godfather and Godmother present themselves with the Child, the Minister asks them, Do you present this Child to be baptised? To which they answer, Yes. Then the Minister reads several Passages relating to the Misery and Sin we are born in; after which, taking some Water in his Hand, he pours it on the Child's Face, saying at the same Time, *Elois, I baptise thee in the Name of the Father, of the Son, and of the Holy Ghost. Amen.**

Q. Was it pure Water?

A. Just as it comes out of the Spring.

Q. Was it not mixed with sweet Waters?

A. No.

Q. How do you know it?

A. By my having been Godfather to other Children.

Q. Who are your Father and Mother?

A. John Rame, and Judith Challeron.

Q. How many Brothers and Sisters have you?

A. None.

THE MONTHLY LITIGATION

77

A. I have had eighteen

Q. Who are they?

A. James, John, Lewis, Anne, Elizabeth, Susan, Jean, Peter, Samuel, Cyrus, Peter, and Judith Ramé, and others which are dead.

Q. Who is your Grandfather by your

A. James Ramé.

Q. Who is your Grandmother by the same

A. Mary Ramé.

Q. Are they living?

A. No.

Q. What Religion are they of?

A. Of the Protestant Religion.

Q. Where were they buried?

A. In the Burying-Place of those of our Religion.

Q. How many Uncles and Aunts have you by your Father's Side?

A. Three.

Q. Who are they?

A. James, Peter, and Mary Ramé.

Q. Are they married?

A. Yes.

Q. With whom?

A. James with Mary Toffer.

Q. Have they any Children?

A. Yes, James Ramé.

Q. Is Peter Ramé married?

A. Yes, with Mary Nefher, and have no Children.

Q. With whom is Mary Ramé married?

A. With John Dandoneau.

Q. Have they any Children?

A. Six or seven Daughters.

Q. What Religion are they of?

A. Of the Protestant Religion.

Q. What Employ or Trade were they, and are they of?

A. My Grandfather, my Father, James Ramé, and his Son, have been, and are still, Dealers in Corn, Fruit, and other Things of the Growth of the Country: Peter is a Woollen-Draper, and John Dandoneau is Owner and Master of a Vessel which he navigates himself.

Q. Who is your Grandfather by your Mother's Side?

A. John Challeron.

THE CHURCH OF ENGLAND

my Gristle and w Shoulder Knobs which I had on and they went on catechising me in the following Manner

Q. What Religion are you of?

A. Of the Religion instituted by our Saviour Jesus Christ, and the Evangelick and Apostolick Law.

To which they answered me, *Thou liest*; and then went on again with these Questions.

Q. What Religion are you of?

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Q. Why do you call it Protestant?

A. Because of the Protestation made, that they did not separate themselves from the Religion of Jesus Christ, but from the Augmentations made to it by the Popes of Rome.

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A. By Monsieur Cherdavaine, Minister of the Word of God.

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A. Louis Raoul.

Q. Who was your Godmother?

A. Mary Challeron.

Q. In what Manner was you baptised?

*A. After the Minister having preached a Sermon, the Godfather and Godmother present themselves with the Child, the Minister asks them, Do you present this Child to be baptised? To which they answer Yes. Then the Minister reads several Passages relating to the Misery and Sin we are born in; after which, taking some Water in his Hand, he pours it on the Child's Face, saying at the same Time, *Louis, I baptise thee in the Name of the Father, of the Son, and of the Holy Ghost.**

Q. Was it pure Water?

A. Just as it comes out of the Spring.

Q. Was it not mixed with sweet Waters?

A. No.

Q. How do you know it?

A. By my having been Godfather to other Children.

Q. Who are your Father and Mother?

A. John Rame, and Judith Challeron.

Q. How many Brothers and Sisters have you?

A. I

B b b

THE HISTORY OF THE INDIAN QUESTION

- A. I have had eighteen.
- Q. Who are they?
- A. James, John, Lewis, Anne, Elizabeth, Susan, Jean, Peter, Samuel, Cyrus, Peter, and Judith Ramé, and others which are dead.
- Q. Who is your Grandfather by your Mother's Side?
- A. James Ramé.
- Q. Who is your Grandmother by the same Side?
- A. Mary Ramé.
- Q. Are they living?
- A. No.
- Q. What Religion are they of?
- A. Of the Protestant Religion.
- Q. Where were they buried?
- A. In the Burying-Place of those of our Religion.
- Q. How many Uncles and Aunts have you by your Father's Side?
- A. Three.
- Q. Who are they?
- A. James, Peter, and Mary Ramé.
- Q. Are they married?
- A. Yes.
- Q. With whom?
- A. James with Mary Toffier.
- Q. Have they any Children?
- A. Yes, James Ramé.
- Q. Is Peter Ramé married?
- A. Yes, with Mary Neffier, and have no Children.
- Q. With whom is Mary Ramé married?
- A. With John Dandoneau.
- Q. Have they any Children?
- A. Six or seven Daughters.
- Q. What Religion are they of?
- A. Of the Protestant Religion.
- Q. What Employ or Trade were they, and are they of?
- A. My Grandfather, my Father James Ramé, and his Son, have been, and are still, Dealers in Corn, Fruit, and other Things of the Growth of the Country: Peter is a Woollen-Draper, and John Dandoneau is Owner and Master of a Vessel which he navigates himself.
- Q. Who is your Grandfather by your Mother's Side?
- A. John Challeron.

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Q. Who is your Grandmother by the same Side?
A. Mary de la Croix.

Q. Are they living?
A. No, she is dead.

Q. What Religion were they?
A. Of the Protestant Religion.

Q. How do you know?
A. By having seen them buried in the aforesaid Burial-Place.

Q. What Employ had they?
A. They were Woollen-Drapers.

Q. How many Uncles have you by your Mother's Side?
A. One, John Challeron.

Q. How many Aunts have you by the same Side?
A. Anne and Mary Challeron.

Q. Age, they married?
A. John Challeron died a Batchelor, Anne and Mary are married.

Q. Who are your Uncles by Alliance or Marriage?
A. James Gandouin and Michael Tournear.

Q. Have they any Children?
A. James Gandouin with Anne Challeron have Abraham, John, James, Peter, Mary and Anne Gandouin; Michael Tournear and Mary Challeron's Children are, Michael, John, Anne, Mary, Judith and Martha Tournear.

Q. What Religion are they of?
A. Of the Protestant Religion.

Q. Of what Trade?
A. Captain and Owner of a Ship.

Q. Have you never, or any of your Relations, been chastised by the Holy Office?
A. In the first Place, there is no Holy Office in France, neither do they know what it is there. And in the second, those of our Religion, generally speaking, live so regularly, that they fall but seldom under the lash of Justice.

Q. Did you ever study for any publick Employ?
A. No.

Q. Did you ever go to School?
A. Yes.

Q. Who was your School-master?
A. Monsieur Jeaneau.

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Q. What Religion was he of?

A. Of the Protestant Religion.

Q. How many Years did you go there?

A. Till I was ten Years old.

Q. At the Age of ten where did you go?

A. To the School of Monsieur Pierre Cousin.

Q. Of what Religion was he?

A. Of the Roman Catholic Religion.

Q. Why do you call it Roman?

A. Because it believes all what the Popes of Rome order.

Q. How long did you go to that School?

A. Till I was fourteen.

Q. What did you do afterwards?

A. I embarked for England.

Q. Upon what Ship?

A. Upon the Friendship.

Q. Who was Captain of her?

A. Jonathan Haist.

Q. Of what Religion was he?

A. Of the Protestant Religion.

Q. How long did you stay in England?

A. Two Years.

Q. From thence where went you?

A. To my Father's at Olleron.

Q. How long did you stay at your Father's?

A. A Year.

They must always say a certain Time here, for the Inquisition doth not admit of the Words almost or about.

Q. What did you do there?

A. I went to and fro to Rochel, in a Vessel to sell Salt.

Q. Where did you go after that Time?

A. I went to Monsieur Bassuet's an Attorney at Marennnes.

Q. How long did you stay with him?

A. Six Months.

Q. From thence where did you go?

A. To my Father's.

Q. What Time did you continue there?

A. A Year.

Q. After that Time where went you?

A. To

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A. To Amsterdam in Holland.

Q. How were the Captain and Ship called?

A. The Captain's Name was *Pierre de la Roche*, and the Ship was called *The Church*.

Q. What Religion was he of?

A. Of the Protestant Religion.

Q. How long were you there?

A. I was a Year, both there and in a Voyage which I made to *Greenland*.

Q. From thence where did you go?

A. To my Father's.

Q. What did you do there?

A. What my Father commanded me.

Q. How long did you stay with him?

A. Till the Year 1664. at which Time my Father and Mother died.

Q. Where were they buried?

A. In the aforesaid Burying-Place of the Protestants.

Q. What did you do after their Death?

A. I remained Coasting there with a Vessel till 1667.

Q. After that, where did you go?

A. To the Islands of America.

Q. With whom?

A. With Monsieur Ozee Cornu, upon the Ship called *The Rencontre*, belonging to the American Company.

Q. What Religion was he of?

A. Of the Protestant Religion.

Q. How long was you with him?

A. Five Months.

Q. What did you do afterwards?

A. I embarked on the Ship *Dorothy*, commanded by Captain *Thomas*, belonging to the aforesaid Company.

Q. Of what Religion was he?

A. Of the Protestant Religion.

Q. What Time did you stay with him?

A. A Year.

Q. Where did you go after that?

A. I shipped my self as Pilot on the Ship called *the St. Esprit*, commanded by Captain *Daniel Granat* of *Roche*, bound for the Islands of America.

T. A.

Q. of

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Q. Of what Religion was he?

A. Of the Protestant Religion.

Q. How long was you with him?

A. A Year; we returned to Dunkirk, and from Dunkirk to Rochel.

Q. What did you do afterwards?

A. I went on board the Ship called the St. John of Nantz, commanded by Captain John Heurtin; we sailed to Port Louis, and having taken our lading of Pilchards there, we went to Barcelona, where we sold them; from thence we sailed for Alicante, to take a Cargo of Soap and Pot-ashes; and after six Months Voyage we returned to Rochel.

Q. What Religion was the Captain of?

A. Of the Protestant Religion.

Q. What did you do after your Return?

A. I staid some time at Rochel, to have my Ship refitted, which I was made Captain of; after which I sailed from Rochel to Nantz, where I took my lading of Wine and Brandy, which I carried to Dunkirk; from thence I sailed to Port Louis, where I took in a Cargo of Pilchards for Barcelona; from Barcelona I went to Alicante, where being laden with Soap and Pot-ashes I went to Roan, and arrived there in March 1672, at which time the War was declared between France and Holland: From Roan I sailed to Nantz, from Nantz to Malaga, from Malaga to Roan, from Roan to Rochel, and from Rochel to Lisbon, where I arrived in May 1673. At which time I shipt myself as Boatswain, on board the King's Ship, the Apollo, commanded by the Marquis de Langeron; some time after we returned to Rochel, and the King's Ships being disarmed, we were all discharged.

Q. What did you do then?

A. I staid in Rochel, where I was in a little time married.

Q. With whom?

A. With Elizabeth Menigand, Widow of John Laurans.

Q. After being married what did you do?

A. As married folks do.

Q. Have you any Children?

A. No.

Q. Had your Wife any Children by her first Husband?

A. Yes.

Q. Who are they?

A. John, Francis, Andrew, and Elizabeth Laurans.

Q. Have you any Relations by your Wife's Side?

A. My

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A. My Mother-in-law, *Mary Foret*, and some Sisters in Law.

Q. Of what Religion are they?

A. Of the Protestant Religion.

Q. How long did you stay in Rochel after being married?

A. Three Months; after which I sailed for *Lisbon*, and returned home in three Months time.

Q. What did you do after that?

A. I had my Ship fitted up, and sailed for the Islands of *America*, called *Guadaloupe* and *St. Christopher's*; where I unloaded, and loaded my Ship, and arrived at home the 9th of June 1675.

Q. What did you do after your Return home?

A. I staid at *Rochel* three Months, and then sailed for the Island of *Fagal*; from *Fagal* I went to the Island of *Cayenne*, from *Cayenne* to the Island of *Martinico*, and in coming out from thence I was taken by two Privateers of *Curasaw*, who having kept me Prisoner a Month, afterwards set me on Shore, at the Point of the Sands of *St. Christopher's*; where I arrived on a Friday, and the Sunday following, at Night, I embarked on a Ship belonging to *Havre de Grace*, called *The Mermaid*, commanded by Captain *Misan*, who sailing northward about a hundred and twenty Leagues, his Ship sprung a Leak and sunk; we got into the Boat to the Number of thirty nine Persons, and were five Days without either Eating or Drinking: The first Land we made was *Porto Rico*, where we landed; we spent the Day in drinking of Water and eating of Oranges; at Night, for our Safety, we went into the Boat again, and anchored in the Bay, to pass away the Night, which proved very troublesome, because of the Wind and Rain, which lasted till Morning. The next Day it was resolved, that we should walk up into the Country, to seek for some Provisions, which we could no longer subsist without; four of us set out at Break of Day, being those who were the most healthy and able to undertake it. After having walked about three Leagues, we came to the House of one *Don Christopher*, who presently ordered some Victuals to be brought us. But when after eating we were for going away, he told us he could not let us go, and that he was obliged to carry us before the Governor, where accordingly we went about nine a Clock, the 12th of April 1676. The Governor ordered our Declarations to be taken in Writing, having for Interpreter a Father of the Order of *St. Dominick*, who spoke French; he ordered me afterwards to be carried to the *Comps de garde*, or Guard-House, where I was detained till the End of August 1677.

Q. Where

Q. Where did you go then?

A. There came into the Harbour one of the King of Spain's Ships, called the *St. Lawrence*, commanded by Don *Antonio Stinna*, who was Vice-Admiral of the *West India Squadron*, on Board which they sent me, and he carried me to *Vera-Cruz*, in *New Spain*; where we arrived at the latter End of *September*. I was presented by the Captain to the King's Officers there, that they might give me the Charity-Money which the King of *Spain* allows for the poor Prisoners. They told me I might seek to work for my Livelihood in the Town. I went then to a *Baker's House*, whom I agreed with to serve in the nature of a Journeyman, till the Flota should go for *Spain*. I continued at his House till 1678, at which time a *Dutchman*, who lived also there, being taken very ill, they had a mind to pervert him; but not being able to work any Thing upon him, he answering them to all their Questions, *Ick canniet Verstaen*, they desired me to explain what they said to him; to which Proposition I answered, I could not comply, because of my being of the same Religion that he was of: They told me, that that Religion had been reformed and composed by ill Persons, and for to please Libertines, and that the Pope was the Vicar of *Jesus Christ*; to which I answered, That I had never heard our Ministers preach any thing else but the Gospel, with strict Orders to follow what our Saviour had commanded us; and that as to the Pope, I acknowledged him not as a Vicar of *Jesus Christ*. The 17th of *December*, 1678, the Holy Sacrament being carried through the Street about nine o'Clock, I met it, and would not kneel; and at ten I was, by your Order, taken up and carried Prisoner to the House of *Don Pedro Estrada*, where I staid a Fortnight with my Feet in the Stocks, having very little Victuals brought me every four and twenty Hours. When your second Order came, I was taken out of that Prison, being very weak for want of Victuals, and they having clapt a Pair of Irons upon my Legs, I was carried out of Town in a Coach, and there delivered to *Nicholas le Noir* of *St. John de los Taiune*, who sat me on Horseback; at Night they hand-cust me; and in this Condition I was delivered into your Hands like a Murderer.

Q. Why would you not kneel?

A. Because of my having read in the Holy Scripture, that the greatest Punishment which God ever inflicted upon his People, was upon the account of Idolatry; and that *Tobit* hid himself to avoid kneeling before *Baal*.

No 13. Ccc. He

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He that took my Declaration was called *Don Martin de Sotto y Gusman*: He proposed to me, that I should abjure my Religion; I answered him, I could nor would not do it: He said, you shall then stay in this Country: I answered him, I believed not: Upon which he grew very angry, and said, he would have me burnt.

After this I was sent back to my private Prison, where I saw no other Person but him that used to bring me my Victuals. Every Morning when he came he said, *Praised be the Holy Sacrament of the Altar*, and the same in the Evening when he brought my Supper. If I answered him nothing, he complained that I was insolent. My Answer was generally, *Praised be our Lord Jesus Christ*, and sometimes, *Praised be God*: They brought me a Candle every other Day, and I had one hundred and eighty two left when I came out that I had not used. The *Fiscal*, who is a sort of Judge, visited me every *Saturday* during five Months, endeavouring to convert, or rather pervert me. He always asked me at his coming in, how it went with me; and I answered him, very badly in this solitary and melancholy Place. At the five Months End I asked him for a Book: What Book? said he. I answered him, I would gladly have one that was written by *Louis de Grenade*, about the Christian Belief: He sent it me, and I read it: About a Fortnight after he sent for it again, and in this manner I passed six Months. I resolved never to ask to be carried before the Tribunal. They gave me Victuals which made me distracted, and heated me to that degree, that my Head was ready to split with Pain: I lost my Stomach entirely, could sleep neither Night nor Day. I had the Piles, which were caused by that excessive Heat of Body which the Victuals had put me in: In fine, I would have given my Life for a Farthing: At three Months End I was as dry as a Board; I could lie neither upon my Back nor Sides; my Body was so lean and empty that it seemed a Lanthorn, and I talked to my self like a Parrot; this lasted to the Year's End, at which time I was carried before the Tribunal. The *Fiscal* produced his Accusations against me; in which he charged me with all the Evil that a Man can possibly be thought to be guilty of; to which I answered the best I could during five or six Days.

Accused, Of having been of the *Roman Religion*, and that in *England* and *Holland* I had been persuaded to embrace the bad Religion I am now of.

I answered, That the Oath which I had taken, of my having been always of the Protestant Religion, was true; and that if they could prove that

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that ever I had apostatized, I was ready to submit to the utmost Rigour of Justice.

Accused, Of being guilty of enormous Crimes, for which I had deserved Punishment.

I declared and told the Fiscal, That I was a *French* Man, and that if I had committed any Robbery, or other Crime in *France*, I thought the Justice was so strictly administred there, that I should scarce have escaped without Punishment; and that if I had killed some *Spaniards* whilst at War with *France*, the more the better; but that this was nothing to the Matter in hand, and for which I was brought there, and that as to the rest, (that is, the other too usual Crimes) if he should put in Prison any of those Men whom he could think the best Livers, and reckoned the most honest, and there accuse them of having committed Crimes against the Commandments of God, he should hardly find one that would swear himself not guilty: And that he might by himself know the Frailty of our Nature, which prompts us to Evil, and keeps us from doing that which is good.

Questioned, Why I had a *Psalms* Book, and whether it was not to teach the Doctrines of my cursed Sect to others, it being forbidden to read the Holy Scripture in the vulgar Tongue.

I answered, That I had this Book for to comfort me; and that if in *Spain* and at *Rome* it was forbidden to read the Holy Scripture, the Ministers of our Religion acted quite contrary; for they commanded the reading of it as the Apostles had done, saying, *Enquire diligently in the Scriptures*, &c. and that my Design was not to preach either for or against their Religion.

Accused, That a Book was found upon me, called, *The Life of Ruyter* a Heretick, and questioned, whether it was to shew the Honesty of those of my Religion.

I answered, That I had that Book to read, and consider the Life and Fortune of that great Captain of illustrious Memory, and not for Matter of Religion.

Accused, That being reading in a *Spanish* Book called, *Ramillete de Flores*, i. e. a Nofegay, in which is the *Lord's Prayer*, and Prayers to our Lady the Mother of God, it being asked me whether those Prayers were good, I had answered, That those to God were good, but that the others were not made use of in our Religion: Leading, or endeavouring by this to lead, People from the right into the wrong Way.

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I answered, That at my Mistress *Mary de Pinas's* House, there was a little Boy whose Name was *Timotheo*, whom I carried often to School, that one Day having taken his Book, and reading in it before his God-mother, she had asked me the same Question as the Fiscal had reported, and that I made her the Answer which I was now accused of.

Accused, That a Priest having asked me why I did not to go Mass, I had answer'd him that I did not eat Masses, despising thereby the Holy Sacrament of the Altar.

I answered, That it was true, that a Priest having bid me go to Mass, I had answer'd him that I did not eat Masses, without any Design of reflecting on the Service of the Mass.

Accused, That having been desired to wear a Pair of Beads, to pray with them to the Mother of God, I had answered, that I did not pray to God by Tale, but as often as he inspired me to do it.

I answered, That it was true, and that I had some Knowledge that it was not long since that Way of Praying was practis'd.

Accused, That having seen the Holy Sacrament go by, I had not paid to it the Homage and Respects due to its Divinity, causing thereby great Scandal.

I answered, That it was true, that the Sacrament of the *Romish* Church had passed by, and that I had not paid Homage to it, looking upon it as a sort of Idolatry, and not to cause Scandal.

Accused, Of having contradicted the Honour due to the Pope of *Rome*, denying the Authority given him by our Saviour Jesus Christ.

I answered, That it was true, that I had always heard our Ministers preach, that the Pope was not the Vicar of Jesus Christ.

Accused, That having asked me why I had no Images to pray to, at least that of my Patron *St. Lewis*, I had answered, that it was a sort of Idolatry, and that in what Place soever one was hid to pray, God knew the Heart.

I answered, That this was true, and that it was what I had often heard and read, and that our Saviour said, *Come to me all ye that are heavy laden, and I shall give you rest*, and what else I could think of upon that Subject.

At every Article the chief Inquisitor said always, Let us write it down. After having answered to all the Accusations laid against me, this not satisfying the Fiscal and the Holy Tribunal, they accused me of having deceived the Holy Office, and demanded that I should be put to the ordinary and extraordinary Torture, to make me confess. To which I answered,

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swered, that they ought to be satisfied with the Torture which they had made me suffer in the Prison, by the bad Victuals which had been given me by their Order. After this they sent me back to my private Prison, and I was no longer under the Fiscal's Jurisdiction.

The chief Inquisitor visited me every *Saturday* during three Months, pressing me every Time to abjure my Religion; but I would neither hear-ken or obey to his urging Sollicitations. They proceeded then to give me such violent sort of Victuals, which turned my Head and Brains in such a manner, that I knew not what I either did or said; insomuch that in one of these Fits I had like to have thrown myself out of a Window. This lasted a whole Year, during which I pulled to pieces a Pair of Silk-Stockings which I had, and with the Silk and some of the Boards of my Bed I contrived a sort of Harp, which I having been heard to play upon, they took it from me. After this I contriv'd another way how to divert myself, and pass away the Time; I undid another Pair of Stockings which I had with me, and with Part of the Worsted, made myself a Cap, and with the rest of it I made Galloon. I made a sort of Needles, to weave my Cap with, out of some Boards of my Bed, which I cut out with a Piece of the Lock of my Trunk, having sharpened it for that Purpose upon Bricks. Some Days I made almost three Yards of Galloon, and then undid it again, and so on, to divert my melancholy Thoughts.

The second Year being at an end, they carried me before the Tribunal, where, instead of seeing the Inquisitor and the Fiscal, as I had before, I found a great many Ecclesiasticks and Lawyers.

A Jesuit, who was the nearest to me, began to speak, and bestowed on me the Title of Brother; telling me, that God had made use of all these Ways to open my Eyes, and had brought me into their Power for the Salvation of my Soul.

I answered him, That it had been God's Will to let all these Punishments and Afflictions fall upon me, in order to awaken me, and to make me consider the many Sins which I had committed against his Divine Majesty, and to try in a greater Measure the Resolution and Constancy which I had shown at the same Time that others had abjured their Religion, for the sake of some Conveniences of this World, and not out of a Persuasion of their being in the Wrong; and that I prayed God to fortify me in this terrible Trial. He repeated then several Passages of the Holy Scripture, which he pretended made against me.

After this, another began his Discourse, and said, Is it possible, my Son, that your Heart can be so hardened, as not to consider the Wonders

of

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of God; who has brought you before the Holy Tribunal, that you might therein find the Salvation of your Soul. After which he brought the Parable of the Vineyard, and said, That God had sent to seek for Labourers for his Vineyard both in the Morning, Noon, and Evening; and several other Things which I am not capable of forming into a Discourse, and which it's impossible for me to relate in the same Stile.

To this I answered, Your Reverence will forgive me if I speak here my Sentiments, this Tribunal having granted me the Liberty of speaking: Therefore, I say, that our Saviour Jesus Christ called the People to him by his Preaching and Admonishing of them, and that he never made use of secret Prisons, Fetters, &c. That his Deputy *St. Peter* seeked not for false Witnesses to make those perish that would not obey him. And that *St. John the Baptist*, by his exemplary Virtues called the People to him. That after all, I should make no Distinction between my abjuring before *Mahomet*, if I were in the *Turks* Power, and the doing of it before this Tribunal on this Occasion. That if I had offended and sinned by my not kneeling before a Thing which I could not believe in, they ought to have reprehended me in a brotherly manner, but not to use violent means for it; for I knew very well, that when our Saviour made his Entry into *Jerusalem*, some did cut Branches or Boughs of Trees, and strewed the Ground with them; others spread their Garments in the Way, but that doubtless they had not all paid that Respect and Homage to him; and that I never found in the Gospel, that our Saviour had made use of any hard Means or Punishments to bring the People to him; but rather of the Benignity and Tenderness of a Father towards his Children.

The others begun to talk, and run down the Protestant Religion, saying, That it had been invented by one *Calvin*, who was a very ill Man, and had been whipt, &c. To which I answered, That I knew of no such Religion as the Religion of *Calvin*, but that my Religion was that of Christ.

They went on with their Discourses, and called me blind, and said, That I was an ill Man to be thus rebellious to the Will of God. I defended myself as well as I could, saying, That if my Religion had not been from God, I had long since been overpowered by the Violences and ill Treatments which I had suffered in the Prisons, and especially in the secret one: Moreover, that I believed I was in the right Way, and that this was my Hope; assuring all those Doctors, of my firm Resolution to die, rather than to commit so base a Thing, and of the Hope which I conceived from so glorious a Death, instead of a shameful Remorse during my

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my Life-time, desiring them, if they thought fit, to proceed to the Execution of my Body; to which they answered in due Time.

They named to me four Attornies, and bid me to chuse one to defend my Cause. I told them, how can one of your Members defend me; seeing that I act against your own Will and Pleasure? I will have, said I, no other Advocate here to defend my Cause but our Saviour Jesus Christ, whom I beseech to strengthen me by his holy Spirit against all these Temptations.

They again bid me to do it: I named one, who presently begun to argue with me after the Lawyer's Way; representing to me, by a great many fine Words, the Goodness and Charity of the Holy Tribunal, in condescending and offering to receive and forgive me; but that instead of taking hold of this happy Opportunity to save both my Body and Soul, I still continued obstinately and blindly to run on to my entire Ruin both here and hereafter. I told him he preached in vain: After which he desisted from my Cause, and I begged to die.

After all this they sent me back again to my secret Prison, where I immediately kneeled down, returning God most hearty Thanks for his Assistance in my past Trials, begging at the same time the Continuance of it in those which I was likely still to undergo; after which I sung a Psalm.

The chief Inquisitor, *Don Juan de Miel*, came to visit me every Saturday, and always asked me how I did. I generally answered him, as well as I could in this Place. Do you want any thing, said he? I told him Yes, I want the Patience of *Job*, the Virtue of *Joseph*, the Wisdom of *Solomon*, the Resolution of *Tobit*, the Repentance of *David*, Justice from your Tribunal, and a quick Expedition. He answered me, That as soon as the Verification was made, I should have Justice done me.

In this manner did I pass the third Year, being pretty well used in the Beginning; but afterwards they gave me such unwholsome Food, that it brought upon me a violent and continual Looseness, which lasted between three and fourth Months; and I became as lean and as dry as a Red-herring. I sung, cried, and fought with the Fiscal, as if he had been with me, telling him that he was worse than an Infidel. However I escaped these three Years without falling sick: I was troubled with the Tooth-ach, and I had one pulled out.

The fourth and last Year passed with very little Sollicitation from my Enemies the Inquisitors, but with great Torments, caused by the bad Victuals which were given me during five Months.

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In the Month of *November*, they carried me before the Tribunal; where the first Inquisitor said to me, By virtue of the Oath which you have taken of speaking the Truth, I command you to tell me whether you continue in the same Mind and Sentiments as before. I answered, Yes I did, with Tears in my Eyes, believing that the Time of my Death was at hand. After which my Sentence was read in these Words, *viz.*

We have found that we ought to condemn, and we do by this actually condemn the aforesaid *Louis Rame*, to be banished out of this Kingdom of *New-Spain*, and to that effect he shall be delivered into the Officer of War's Hands, and put into the Royal Prison.

This Royal Prison was formerly the Palace of the great *Montezuma*, when he was Emperor of *Mexico*. After the Sentence being read, the first Inquisitor said to me, Do you promise by the Oath you have taken, nor to divulge any Thing of what has been done or said to you here, under the Penalty of two hundred Lashes? To which I answered, That whilst I continued in the Dominions of the King of *Spain*, I would say nothing of it; but that when I should come to *France*, I must of Necessity tell it; because it would be asked me where and how I had been all this while: And upon this they made me take a fresh Oath.

After this they carried me into another Prison in the first Court, from whence I could see the People that walk'd in the Street, and they gave me good Victuals during seven or eight Days; in which Time my Sight became stronger, having almost lost it before through the ill Food which they had given me. I was then carried into the aforesaid Royal Prison: As soon as I came there, they clapt Fetters upon my Legs. The next Sunday after, at the Mass Time, for which Purpose there is a Chapel in the said Prison, all the Prisoners were brought out of the Dungeons and other Places, and carried into a great Hall joining to the said Chapel. When the Goaler came to me, I told him, That none of my Religion did go to Mass: He gave Notice of it to the Tribunal, and I was put in a Room by myself, as if they feared that I should breed an Infection; where I remained during three Months, very ill used. The Vice-Roy with all the Judges came to visit the Prisons at *Christmas*: I begg'd of him that I might have some Ease from the Hardships I endured, telling him at the same time how much I had suffered, and the extream Want of Necessaries I was now brought to.

After this I was transfered from the Royal Prison to *Miscoac*, which is a Village about four or five Miles from *Mexico*: I was put there in a Manufacture

Manufacture of Cloth, which is the Place where all the Thieves and Malefactors which are condemned by the Justice, are bought and sold. During my Stay there, on the Eve of *St. Rocq*, they gave us all our Tasks for the next Day; but a Fire happened that Night in our Work-House, which was attributed to the Displeasure of *St. Rocq*; because they had designed to make us work on that Festival. Upon this they brought immediately *St. Rocq* in Procession to our House, and said a Mass to him to appease him.

One *Thomas* of *Plymouth*, whose Surname I cannot remember, turned Roman Catholick, upon which he was re-baptized, and took for his God-father the Master of the Manufacture; after the Ceremony being over, they sent him to give an account of his Conversion, or rather Perversion, to the Tribunal. I gave him a Letter, by which I complained of the ill Usage I had met with, and of being detained so long, as also of my being brought thither by order of the Tribunal; desiring that if they were resolved to make me end my Days in this Country, they would at least let me have the necessary Clothes and Victuals: I received the following Answer, viz.

I have seen *Mr. Louis Ramé's* Letter, by which I find that he is in the Manufacture. I understood that he was on his way for *Spain*; but as it is not so, he must present a Petition to *Don Jacinto de Valguera y Camposana*, President of the Criminal-Affairs, which I did.

On the Holy Days, called *Of the Mother of God*, there are People which go masked into the Churches, and there dance before the Altars.

From this Manufacture I was carried back into the Royal Prison, where I continued six Months longer with Fetters on.

In the Holy Week many People go to the Churches with Masks on, and whip themselves severely through the Streets, their Backs being naked; insomuch that some of them are all over Blood; and these they call Penitents. They carry at the same time in Procession the Image of a Man, which they call the *Sancto Christo* of *Nazareth*, and every Day they give it a new Name. They carry also in the said Procession the Figure of a Woman, to whom they give the Title of the *Mother of God*; and there are masked Men which go along dancing and making a thousand ridiculous Gestures before these Images. These Men are dressed with Clothes of all Colours like Harlequins; and some have long Tails hanging behind them. These, they say, represent some Jews, which they pretend, are born after this manner; because of their descending

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from the Executioners who crucified our Saviour Jesus Christ. The same Ceremony is practis'd on the Day called *Corpus Christi*.

After these six Months they took me out of the Prison, and sat me on a Mule, to carry me to *Vera-Cruz*, having two Guards along with me, and Fetters on which weighed at least five and twenty Pound: They made me get up and down with all this Weight, and the Mule was so vicious and full of Tricks, that I believe they gave it me in hopes that she would break my Neck. About this time I had the News of *Don Martin de Soto* the Inquisitor's being dead; it was him that had threatened to have me burnt.

At my Arrival in the Prison of *Vera-Cruz*, they took my Fetters off, and put me in a Dungeon, without giving me any thing of what the King of *Spain* allows for the Prisoners: However, I lived pretty well; for the Master whom I had served here formerly, sent me every Day a Pound of Bread, and the Vicar or Lecturer of the Place, who thought to gain more upon me than the Inquisitor had been able to do, came to visit me twice a Week, and gave me always Money to buy Necessaries.

There was one hundred and eight Buccaneers taken at *Tanpicq*, amongst whom were fourteen Officers, which were brought to *Vera-Cruz* to have their Processes made them; they were all condemned to be strangled, each of them at a Stake: Upon their Arrival I was lock'd up, that I might not speak to them. They were solicited, during some Days, to abjure their Religion; but finding that they would not do it, they were carried to the Place of Execution the 20th of *June*. Five of them died without abjuring, but nine demanded to be brought back to Prison to change their Religion: They were accordingly brought back, after which they were ordered to wash themselves, and had every one a clean Shirt given them; having shifted themselves, they ordered them to chuse God-fathers, and the next Day they were re-baptized. They were very much made of, and did eat and drink very heartily, believing themselves sure of their Lives; but the Night following they were ordered to remember their Abjuration, and to do the Acts of *Roman* Catholicks; and the next Day there was a great Dinner prepared, where I was invited, and sat at the upper End of the Table, between the Major and the Vicar. I had then a vast long Beard on, for which Reason some of the Company called me the *Papas*, which is a Name they give to grave and learned old Men. They were extream civil to me, and the Major desired me to have my Beard shaved off, which I instantly complied with. The Entertainment being over, the pretended good Christians were carried to

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the Place of Execution, without any farther Notice given them, and eight of them were actually executed. In the strangling of the ninth, called *John Morgan*, born at *Barbadoes*, whom his Godfather had a mind to save, because of his being a very fine Man, and Captain of a Company of Soldiers, in which Post he had been very merciful and kind to the Prisoners of *Tanpicq*, three Ropes broke about his Neck, and after the third time, he was taken up and put in a Coach which the Jesuits had there, and carried to their Convent. They gave out, that he had seen the *Virgin Mary*, and that he never believed he should die: And they came to tell me this Story.

Some time after there came to Town a Father of the Mission, as they call them, which are those that are sent from *Spain* to preach to the *Indians*, and to convert them; this Man was look'd upon as a Saint; he used to preach all Day in the Churches, and at Night in the Streets. I was told that he had been raised several times from out of his Pulpit while he preached, and that God, through his Divine Bounty to Mankind, had been pleased to continue him in his Post, and not to take him up into Heaven. This said Father came to the Prison where I was, and after speaking a few Words to me, fell a conjuring the Devil to come out of me; upon which I told him, I did not know any thing of my being possessed. He went away, and I remained in my Prison till the Month of *November*.

It was said at the *Vera-Cruz*, that they had seen near the Sun two *Ostias*, (which is the Name they give to the Wafer used by the *Roman Catholics* for the Sacrament, after Consecration) that had been lost when the *Buccaneers* plundered that Place; and I myself saw some *Spaniards* staring in a Looking-Glass set in the Sun to see it.

Some Days after there came from *Mexico* five *English* Prisoners, who had made their Escape from the Manufacture of Cloth, and had gone as far as the old *Vera-Cruz*, which is about fifteen Miles distance from the new one; they were seized there and brought to Prison, and put in the Stocks. And one *Juan Corse*, Captain of a *Spanish* Half-Galley, came there and cut all their Throats, without any farther Process or Notice given them.

Don Pedro de Estrada and the Vicar, who had used me so ill, died in the Hands of the *Buccaneers*. They give here Liberty to the Slaves of assembling themselves in a certain Place, where they use to dance and be merry; but this is only upon *Sundays* and *Holydays*; and to obtain this Favour

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Favour, they must each of them pay half a Rial, which is about Threepence Halfpenny, which is laid out in Masses to the *Virgin Mary*.

I proceed now to give an Account of my Journey from the *Vera-Cruz* to *Mexico*, in the Month of *January*: Having set out, as already mentioned, and travelling about four and twenty Miles a Day, the first Town we met was *Taslappe*; before we came to it we saw a Chapel, which is called *las Animas*, i. e. *All-Souls*: In the Front of which, as likewise in the Insides, there are tall Figures painted on the Stone; they are painted exactly as the *Spaniards* are dressed, with long Swords by their Sides, and Daggers on, and with long Mustacho's, or Whiskers: Most of the Carriers, when their Mules are out of Order, do vow or recommend them to the *Animas*, and if they recover, they esteem them the better for it, and make a Present to the *Animas*. *Taslappe* is in a fruitful and pleasant Country; the People lie here in their Gardens, and the Climate is mighty temperate.

After leaving this Place, we went up a great and steep Mountain, called; *El Soldado*, i. e. the *Soldier* it is of a very difficult Ascent, and the Way is so bad, that there is no going up in rainy Weather: In continuing our Journey to *Mexico*, we came to a Town called *St. John de los Santos*; there are *Salinas* near this Place, where they make Salt with the Water of a great Lake, which is as salt as Sea-Water. All the Country hereabouts is extream pleasant and fruitful, and abounds both in *European* and *Indian* Wheat, which they call *Maiz*, and their Harvest is at *Christmas*.

Near *Mexico*, there is a Fountain or Spring which comes out of a Mountain through some Minerals: The Water of it is very hot and wholesome. They say that the *Virgin Mary* appeared in this Place to an *Indian*, and told him of this Spring, and the Virtues thereof; the *Indian* came and told it to the Arch-bishop, who would not believe him; some time after she appeared again to the same *Indian*, and spoke to him as before; he answered her, that he had done as she had ordered him, but that they would not believe him; upon which she gathered some Roses where there never had been any before, and put them in the *Indian's* Manta, which is a sort of a thing like a Blanket, which the Natives wrap themselves in; he went then to the Arch-bishop, and told him, that he had again seen our Lady: They told him he was mad; but the *Indian*, to prove the Truth of what he said, opened his Manta and shewed the Roses, which she had put in it. And upon this a Chapel was immediately built on that Place, which I saw as I went by; but it is nothing

thing in comparison to the Church which is built at the Foot of the Mountain, which indeed is extream magnificent, having therein Golden and Silver Lamps, Images, Candlesticks, &c. to the value of above a Million of Pieces of Eight, besides an innumerable Quantity of Pearls, Emeralds, and other precious Stones. This Church is called *Our Lady of Guadalupe*, and stands about three Miles from *Mexico*; and he is not reckoned a good Christian who does not go to Devotion there every *Saturday*. And there are a great many Crutches, &c. left there, as they tell you, by People who, being Lame when they came there, were cured by our Lady, and enabled to return home without Help, &c. In my Return to the *Vera-Cruz*, we staid one Night in a little Town called *St. Martin*, where they have two Harvests or Crops every Year: The Plain is watered by a little River which comes out of the aforesaid Mountain. All this Country is extream fine and good, and the Climate very temperate; it doth abound with all manner of Cattle. The *Spaniards* would starve here, were it not for the *Indians* that cultivate the Ground.

From thence we came to the *Vera-Cruz*, where abundance of valiant *Spaniards* do inhabit; there are above two thousand of them here, besides three hundred Soldiers in Garrison; yet they very tamely suffered the Town to be taken by six hundred *Buccaners* of all Nations. Some Days after my Arrival here, I was conducted to the Key by several Soldiers, who put me in a Boat which carried me on Board of a Ship bound for the *Havana*: In two and twenty Days time we got in sight of that Harbour, but the Wind turning on a sudden to the North, we were very near being cast a-shore on the Coast; and the Sea was so very high, that the Waves washed us quite over several Times; however, God be thanked, we got in, and the *Spaniards* went immediately, wet as they were, and barefooted, to a Chapel call'd the *Sancto Christo* of good Voyage, and carried with them the Money which they had promised during the Storm, for a Mass, in case of good Success and Deliverance. The Captain's Name was *Don Gregorio Arival*, who had his Family at *Triano* near *Seville*.

My Captain, as soon as the Mass was over, went to the Governor of the *Havana*, and gave him the Orders relating to the Prisoners, which were, that he should send us to *Spain*; I was led to the Prison by half a dozen Soldiers, where I remained, during six Months, being treated very ill; for they did not give me the King of *Spain's* Allowance for the poor Prisoners: The Curate of *Matamoras* came often to visit me, exhorting me

me every time to abjure my Religion, thinking to meet with better Success than all the rest; but I told him, as I had done to all my other Persecutors, that I would never do it. The other Prisoners, that were with me, went to work every Day to the building of a Wall of the Town, but I was kept a close Prisoner.

At last the Flota came into that Harbour to join some Register-Ships from *St. Domingo*, *Campeche*, *Cartagena*, and other Places; and after they had victualled their Ships, and taken in Water for their Voyage to *Spain*, I was taken out of the Prison, to be carried on Board of a Dutch built Ship, formerly called *The Tromp*, which the *Spaniards* having bought, re-baptized and called her *The St. Joseph*; for you must know, that they baptize a Ship as if it were a Child. But the Ships not sailing that Day, I was put in the Stocks, and continued in them all that Night; this was the last Favour I received from the *Spaniards* in *America*. The next Morning I was carried on Board, and we sailed out of the Harbour, taking our Course towards the Canal of *Bahama*, in our Way for *Spain*.

When the Wind is high, and there appears little Lights, caused by the Winds, which the *Spaniards* call *St. Helme's Fire*, then the Chaplain of the Ship carries a Box about, and desires every one to give something towards a Mass to *St. Helme*; and those that have no Ready Money, promise something; and whatever they promise for such Uses is punctually paid at their Arrival, preferably to whatever they may owe. It is almost impossible for a Protestant to withstand their continual Importunities; and if such a one should fall sick and die amongst them, he must certainly lose his Soul and all his Effects.

In fine, after two Months and an half's sailing, we came within sight of the Coast of *Spain*, and sailed along pretty near the Shore, the Wind being very favourable; when we came near the River of *St. Lucar*, there is a Chapel called *Our Lady of Regla*, which we saluted with all our Guns; this the *Spaniards* do as a Thanksgiving for their good Voyage and safe Return; and indeed it's all of a Piece with the rest of their superstitious Worship.

At our Arrival in the Bay of *Cadiz*, we found it almost full of fine Ships of all Nations, who fired their Guns for Joy of our Arrival: They came there to carry away the Gold and Silver, and other rich Commodities which come from the *West-Indies*, and in a little time leave hardly any to the *Spaniards*, who are indeed the Masters and Owners of the

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Gold and Silver Mines; but the foreign Nations are the Coffers where the Treasure goes into.

After my Arrival in the Bay of *Cadiz*, I expected that I should presently be set at Liberty, and desired the Captain to let me go on shore; but he answered me, that he could not, and kept me a Prisoner for some Days: After which I was, with several others, put into a Boat, every one of us with Fetters on; amongst the rest there were *George Milbrough*, *Richard Enicq*, and other *French* Men of this City. We were carried to *Seville*, and put in Prison there: We had scarce any thing to eat during six Weeks: The *English* were assisted by the Merchants of their Nation, but the *French* had nothing at all given them. In fine, we were almost starved.

At the six Weeks End I was called for at the Gate, where I had a Piece of Eight given me, believing that it was for myself; I went and told it to my Fellow-Prisoners, who went immediately to the Gate, thinking to receive each of them as much; but they were told, that the Piece of Eight, which was given me, was for the twelve Prisoners that were newly come; upon which I offered the Piece to every one of them, but they all answered, that they would have none of it, and that they had rather be starved, and die quickly, than to be kept thus lingering on; for there was but five Pence for each of us for a Week. I carried the Piece of Eight back to the Goaler, who would not take it; upon which I threw it at his Feet; he came in and would have put Fetters upon my Legs, but I would not let him, and he went to complain to the Fiscal.

The Fiscal came with his Officers; he talked very severely to me, and I answered him as well as I could; he ordered me to be fettered and put into a Dungeon, where I was three Days without seeing any Body but the Goaler; the next *Saturday* after we had each of us a Piece of Eight given us, and I made my Peace with the Goaler for a Piece of Eight and a half, which I paid him at Times out of what I had given me.

I passed the Time after this Manner till *Christmas*, at which Time the President of the *West-India* Trade, with all the Officers of Justice, came to visit the Prison; we desired to be set at Liberty, but our Request was not granted us.

After *Christmas* a Woman of this City of *London*, came to look for her Husband in the Prison of *Seville*, in *Spain*; she solicited the *English* Merchants there, and the Judges so well, that the Declarations of the *English* Prisoners were taken, and their Trials run through; after which they were sent to *Cadiz* about *Easter*. The Woman followed her Husband,

band, and goes to the *English* Consul; after which she went to the General of the Army, begging of him to let her have her Husband and her Cousin, who were the two Persons afore-named; he granted it, and she took them out of the Prison, and the *English* Merchants at *Cadiz* gave her about one hundred Pieces of Eight for the Charges and their Passage home.

I remained in Prison, presenting Petitions every now and then to my Judges, desiring them either to set me at Liberty, or to let me know the Cause why they kept me thus; but I could get no Answer from them. At last I writ to the Marquis de Feuquieres, the *French* Ambassador at *Madrid*, who immediately presented a Petition to the supreme Council, and obtained two Letters from the King, one of them open, and the other sealed up, directed to Monsieur Bertram de Sotto, Consul of the *French* Nation, with Orders to my Judges, to shorten and make an end of my Cause, and to consider, that the *French* Ambassador had intervened in this Affair, telling them withal, that if his Majesty knew who were the unjust Judges, who caused these Delays, and made thereby poor Men perish, he would take them to Task.

After this my Declaration was taken in the Form following: They made me hold up my Hand, and swear that I should speak the Truth, and then begun thus:

Lewis Ramé, forty-seven Years of Age, Native of *Olleron*, married at *Rochel*, of the Protestant Religion: And then came all the Discourses already mentioned; the Day of my Departure from *New Spain*, the several Prisons I had been in there, and how long in each, &c.

Then they proceeded to my Trial, and condemned me to serve the King of *Spain* at *Cadiz*, in whatsoever the Governor of that Place should think fit; for my having been found and taken in the Dominions of *Spain*, in the *West-Indies*. After my Sentence being read to me, I immediately appealed to the Council of the *Indies* at *Madrid*, and gave Advice of it to the Ambassador, who presently demanded that the Cause should be carried up to *Madrid*, and he put it into the Hands of his Commissary, or Sollicitor: the latter writ to me to send twelve Pieces of Eight to *Madrid*, for the Charges of the Prosecution.

Upon this I writ to my Wife at *Rochel*, who was then gone from *France* into *Ireland*, which made me lose much Time; so that I continued still in Prison. At last my Wife received my Letter, which she answered; she then came from *Ireland* to *Bristol*, and from *Bristol* to *London*, where joining her Endeavours and Prayers to mine, she at last found

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found a truly charitable Gentleman, one Monsieur *Bourvieu*, who writ to a Friend of his at *Madrid* about me; and he to one of his Friends at *Seville*, who saw and spoke to my Judges in my behalf, but could not obtain my Liberty.

I was after that advised, by my Friends, to desist from the Appeal, which I did, and accordingly writ to the Ambassador about it; his Excellency answered me, that I did very well to desist from the said Appeal; that he would give Notice of it to his Solicitor; and that I ought likewise to acquaint my Judges with it. I presented then a Petition to the Judges, letting them know, that I had thought fit to desist from the Appeal to the Council of the *Indies* at *Madrid*, not doubting but that they would consider better of my hard Usage, and do me Justice, &c. So that after so much Time lost, I was now patiently expecting their Pleasure.

The Gallions brought over at this Time six Prisoners, viz. *William Murray*, whose Hair was like that of a Mulatto; he was about forty Years of Age, and *James* ——— about thirty, both born in *London*; *Thomas Black*, Native of *Barbadoes*; *John Servant*, Native of *Bermudas*; *John Moss*, born at *Boston* in *New England*; and another, whose Name I know not; they all abjured their Religion in the Prison of *Seville*; they took for their Godfather the Archbishop's Gentleman, and were all re-baptized: As this happen'd in *Seville* in *Spain*, the *English* Merchants of that Place may very well remember the Truth of what I alledge.

Some Days after five Prisoners, of which Number I was, were ordered to be fettered and sent on board of a Bark for *Cadiz*, and we were forced to walk a pretty Way to it; after being embarked, we presently sailed out of the River, and soon arrived at *Cadiz*, where we landed, and were led to the Prison of that Place; being come there, they took off our Fetters, and clapp'd others on, which weighed between five and twenty and thirty Pound Weight.

I passed five Days in this Condition, expecting to be set at Liberty: At last I sent a Letter to Monsieur *Catalan*, Consul of the *French* Nation; upon which he went to see the Governor, who told him he had nothing to do in this Affair, and that it depended wholly upon the General, the Count *de Aguilar*, who, upon the Consul's Intercession, sent a Letter to the afore said Governor, with Orders to set us at Liberty. Notwithstanding this he would have us to be put under the Direction of the Master of his Majesty's Works, the Consul opposed it, and demanded that he should comply with the General's Order.

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Days past in this Contest, at the End of which the Governor received a Letter from the Marquis *de las Minas*, obtained by my very good Friend Monsieur *Morel*; upon sight of which the Governor began to be more moderate, and at last ordered us to be turned out of Prison.

Being turned into the Street of *Cadiz*, I met with a Friend who furnish'd me with Money to pay my Charges and Passage to *England*, which Money the aforesaid Monsieur *Bouvereau* had gathered from several charitable Persons: God Almighty return the Charity to him and all them that gave it him. After this I embarkued upon a Ship called *The Loyalty of London*, commanded by Captain *Clerk*, and we sailed from *Cadiz* to the *Douws* in twenty eight Days, where I landed, and then went up to *London*, where I arrived the 18th of *August*, 1687.

God be praised: I was thought Dead, but am Living.

RELATION VII.

The following Pages are taken from Gavin's Master Key to Popery, who speaking of his own Knowledge, certainly deserves Credit.

IN 1706, after the Battle of *Almanza*, the Spanish Army being divided in two Bodies, one of them through the Kingdom of *Valencia* to the Frontiers of *Catalonia*, commanded by the Duke of *Berwick*, and the other, composed of the French Auxiliary Troops, fourteen thousand in Number, went to the Conquest of *Aragon*, whose Inhabitants had declared themselves for King *Charles III*. The Body of French Troops, was commanded by his Highness the Duke of *Orleans*, who was Generalissimo of the whole Army. Before he came to the City, the Magistrates went to meet him, and offered the Keys of the City, but he refused them, saying, he was to enter it through a Breach; and so he did, treating the People as Rebels to their Lawful King. And when he had ordered all the Civil and Military Affairs of the City, he went down to the Frontiers of *Catalonia*, leaving his Lieutenant General, Monsieur *de Jofreville* Governor of the Town. But this Governor being a mild-tempered Man, he was loth to follow the Orders left with him, as to the Contribution Money; so he was called to the Army, and the Lieutenant General, Monsieur *de Legal*, came in his Place. The City was to pay

a thousand Crowns a Month, for the Duke's Table, and every House a Pistole, which by Computation made up the Sum of eighteen thousand Pistoles a Month, which were paid eight Months together; besides this, the Convents were to pay a Donative proportionable to their Rents: The College of *Jesuits* were charged two thousand Pistoles, the *Dominicans* one thousand, *Augustins* one thousand, *Carmelites* one thousand, &c. Monsieur de *Legal* sent first to the *Jesuits*, who refused to pay, saying, that it was against the Ecclesiastical Immunity; but *Legal*, not acquainted with those sort of Excuses, sent four Companies of Grenadiers to be quarter'd in their College at Discretion. The Fathers sent immediately an Express to the King's Confessor, who was a *Jesuit*, with Complaints about the Case: But the Grenadiers made more Expedition in their Plundering and Mischiefs, then the Courier did in his Journey: So the Fathers seeing the Damage all their Goods had already sustained, and fearing some Violence upon their Treasure, went and paid Monsieur *Legal* the two thousand Pistoles as a Donative.

Next he sent to the *Dominicans*. The Friars of this Order are all Familiars of the Holy Office, and depending upon it; they excused themselves in a civil Manner, saying, they had no Money, and if Monsieur de *Legal* had a mind to insist upon the Demand of the one thousand Pistoles, they could not pay him without sending to him the Silver Bodies of the Saints. The Friars thought by that to frighten Monsieur de *Legal*, and if he was so resolute as to accept the Offer, to send the Saints in a Procession, and raise the People, by crying out *Heresy, Heresy*. *De Legal* answered the Friars, that he was obliged to obey the Duke's Orders, and so he would receive the Silver Saints: So the Friars, all in a solemn Procession, with lighted Candles in their Hands, carried the Saints to the Governor *Legal*; who as soon as he heard of this publick Resolution of the Friars, ordered immediately four Companies of Grenadiers to line the Streets on both Sides, before his House, and to keep their Fuses in one Hand, and a lighted Candle in the other, to receive the Saints with the same Devotion. And though the Friars endeavoured to raise the People, no body was so bold as to expose themselves to the Army. *Legal* received the Saints, and sent them to the Mint, promising the Father Prior to give him what remained above the thousand Pistoles. The Friars being disappointed in their Project of raising the People, went to the Inquisitors to desire them to release their Saints out of the Mint, by excommunicating Monsieur de *Legal*, which the Inquisitors did upon the Spot; and the Excommunication being drawn, and sign'd,

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they gave strict Orders to their Secretary to go read it before Monsieur *de Legal*, which he did accordingly: And the Governor, far from flying in a Passion, with a mild Countenance, took the Paper from the Secretary, and said, Pray tell your Masters the Inquisitors, that I will answer them To-morrow Morning: The Secretary went away fully satisfied with *Legal's* civil Behaviour; who the same Minute, without reflecting upon any Consequence, called his own Secretary, and bid him to draw a Copy of the Excommunication, putting out the Name of *Legal*, and inserting in its Place, *The Holy Inquisitors*.

The next Morning he gave Orders for four Regiments to be ready, and sent them along with his Secretary to the Inquisition, with Command to read the Excommunication to the Inquisitors themselves, and if they made the least Noise, to turn them out, open all the Prisons, and quarter two Regiments there. So his Secretary went, and performed the Governor's Orders. The Inquisitors were never more surprized than to see themselves excommunicated by a Man that had no Authority for it; and began to cry out, *War against the Heretick Legal*; this is a publick Insult against our *Catholick Faith*. To which the Secretary answered, *Holy Inquisitors*, the King wants this House to quarter his Troops in, so walk out immediately; and as they continued in their Exclamations, he took the Inquisitors with a strong Guard, and carried them to a private House designed for that Purpose; but when they saw the Laws of Military Discipline, they begged leave to take their Goods along with them; which was immediately granted, and the next Day they set out for *Madrid* to complain to the King; who gave them a slight Answer, saying, I am very sorry for it, but I cannot help it; my Crown is in Danger, and my Grandfather defends it, and this is done by his Troops; if it had been done by my Troops, I should have applied a speedy Remedy; but you must have Patience till Things take another Turn. So the Inquisitors were obliged to have Patience for eight Months.

The Secretary of Monsieur *de Legal*, according to his Orders, opened the Doors of all the Prisons, and then the Wickednesses of the Inquisitors were detected: Four hundred Prisoners got Liberty that Day; and among them sixty young Women were found very well dressed, who were in all human Appearance, the Number of the three Inquisitors *Seraglio*, as some of them did own afterwards. But this Discovery, so dangerous to the Holy Tribunal, was in some measure prevented by the Arch-bishop, who went to desire Monsieur *de Legal* to send those Women to his Palace, and that his Grace would take care of them. And in the mean time he

ordered

ordered an Ecclesiastical Censure to be published against those that should defame by groundless Reports the *Holy Office* of the Inquisition. The Governor answer'd, he would be willing to assist his Grace in anything he could; but as to the young Women, it was not in his Power, the Officers having hurried them away; as indeed it was not, for the *French* Officers were all glad to get such fine Mistresses. As I travelled in *France* some Time after, I met with one of those Women at *Rochfort*, in the same Inn I went to lodge in, who had been brought there by the Son of the Master of the Inn, formerly a Lieutenant in the *French* Service in *Spain*, who had married her for her extraordinary Merit and Beauty. She was the Daughter of Counsellor *Balabriga*: I had known her before she was taken up by the Inquisitors Orders; her Father died of Grief, without the Comfort of revealing the Cause of his Trouble, even to his Confessor: So great is the Dread of the Inquisitors there!

I was very glad to meet one of my Country Women in my Travels; and as she did not remember me, especially in my Disguise, she took me for an Officer. I resolv'd to stay there the next Day, to have the Satisfaction of conversing with her, and to get a plain Account of what we could not know in *Zaragoza*, for fear of incurring the Ecclesiastical Censure published by the Bishop. Her Father and Mother in Law, to shew their Respect for their Daughter's Country Man, (*Mr. Faulcaut* her Spouse being gone to *Paris*) invited me to a handsome Supper; after which I begg'd the favour of her to tell me the Reason of her Imprisonment; of her sufferings in the Inquisition, and of every Thing she knew relating to the *Holy Office*, to which she readily consented, and gave me the following Account:

I went one Day with my Mother to visit the Countess of *Attarass*, and I met there Don *Francisco Torrejon*, her Confessor, and Second Inquisitor of the *Holy Office*: After we had drank Chocolate, he asked me my Age, my Confessor's Name, and so many intricate Questions about Religion, that I could not answer him: His serious Countenance did frighten me, and as he perceived my Fear, he desired the Countess to tell me, that he was not so severe as I took him to be; after which he caress'd me in a most obliging manner; he gave me his Hand, which I kissed with great Respect and Modesty; and when he went away, he told me, "My dear Child, I shall remember you till the next time." I did not mind the Sense of the Words; for I was unexperienced in Matters of Gallantry, being at that time but fifteen Years old. Indeed he did remember'd me; for the very same Night, when we were in Bed, hearing

a hard knocking at the Door, the Maid that lay in the same Room with me went to the Window, and asking who was there? I heard say, The Holy Inquisition. I Could not forbear crying out, Father, Father, I am ruined forever. My dear Father got up, and inquiring what the Matter was, I answered him with Tears, the Inquisition; he, for fear that the Maid should not open the Door as quick as such a Case required, went himself like another *Abraham* to open the Door, and to offer his dear Daughter to the Fire of the Inquisitors; and as I did not cease to cry out, as if I was a mad Girl, my dear Father all in Tears, did put in my Mouth a Bit of a Bridle, to shew his Obedience to the Holy Office, for he thought I had committed some Crime against Religion; so the Officers giving me only time to put on my Petticoat and a Mantle, took me down into the Coach, and without allowing me the Satisfaction of embracing my dear Father and Mother, they carried me into the Inquisition.

I did expect to die that very Night; but when they carried me into a noble Room, well furnished, I was quite surprized. The Officers left me there, and immediately a Maid came in, with a Salver of Sweet-Meats, and Cinnamon Water, desiring me to take some Refreshment before I went to Bed. I told her I could not; but that I should be obliged to her, if she could tell me whether I was to die that Night or not? Die (said she) you do not come here to die, but to live like a Princess, and you shall want for nothing in the World, but the Liberty of going out; so pray be not afraid, but go to Bed, and sleep easy, for To-morrow you shall see Wonders in this House; and as I am chosen to be your Waiting-Maid, I hope you will be very kind to me. I was going to ask some Questions, but she told me, she had not Leave to tell me any Thing more till the next Day, only that no Body should come to disturb me; and now (said she) I am going about some Business, but I will come back presently, for my Bed is in the Closet near yours: So she left me for a Quarter of an Hour. The great Amazement I was in took away the free Exercise of my Senses to such a degree, that I had not Power to think either of my afflicted Parents, or the Danger I was in. In this Suspension of Thought, the Maid returned, and lock'd the Chamber Door after her; Madam (said she) let us go to Bed, and be pleased to tell me at what Time in the Morning you will have the Chocolate ready. I asked her Name, and she told me it was *Mary*. *Mary*, for God's Sake (said I) tell me, whether I come to die or not? I have told you Madam, replied she, that you come to be one of the happiest

Ladies

Ladies in the World: So observing her Reservedness, I asked no more Questions that Night, but went to Bed. The fear of Death prevented me from shutting my Eyes, so that I rose at Break of Day; *Mary* lay till Six o'Clock, and was surprized to find me up; however, she said little, but in half an Hour she brought me, on a Silver Plate, two Cups of Chocolate and Biscuits; I drank one Cup, and desired her to drink the other, which she did. Well *Mary*, said I, can you give me any Account of the Reasons of my being here? Not yet Madam, said she; have a little Patience. With this Answer she left me, and an Hour after came again, with a fine Holland Shift, a Holland Under-Petticoat, finely laced round, two Silk Petticoats, and a little *Spanish* Waistcoat, fringed all over with Gold, and Combs, Ribbands, and every Thing suitable to a Lady of higher Quality than I; but my greatest Surprize was to see a Gold Snuff Box, with the Picture of *Don Francisco Torrejon* in it. Then I soon understood the Meaning of my Confinement; so I considered with myself, that to refuse the Present would be the Occasion of my immediate Death; and to accept it, was to give him too great Encouragement against my Honour. But I found, as I thought, a Medium in the Case; so I said to *Mary*, Pray give my Service to *Don Francisco Torrejon*, and tell him, that as I could not bring my Clothes along with me last Night, Honesty permits me to accept of those Clothes which are necessary to keep me decent; but since I take no Snuff, I beg his Lordship to excuse me, if I do not accept this Box. *Mary* went to him with this Answer, and came again with a Picture, nicely set in Gold, with four Diamonds at the four Corners of it, and told me, that his Lordship had mistook, and that he desired me to accept that Picture. While I was musing what to do, *Mary* said, pray Madam take my poor Advice, accept the Picture and every Thing he sends you; for consider, that if you do not comply with every Thing he has a Mind for, you will soon be put to Death, and no Body can defend you; but if you are obliging to him, he is a very complaisant Gentleman, and will be a charming Lover, and you will be here like a Queen: He will give you another Apartment with fine Gardens, and many young Ladies shall come to visit you; so I advise you to send a civil Answer, and desire a Visit from him, or else you will soon repent it. O dear God I cry'd I; must I abandon my Honour, without Remedy; if I oppose his Desire, he will by Force obtain it. So, full of Confusion, I bid *Mary* to give him what Answer she thought fit: she was very glad of my humble Submission, and went to give *Don Francisco* an Account of it. In a few Minutes she return'd, with great Joy,

Joy, to tell me, that his Lordship would honour me with his Company at Supper; in the mean Time he desired me to mind nothing, but how to divert myself, and to give *Mary* my Measure for some new Clothes, and order her to bring me every Thing I could wish for. *Mary* added to this, Madam, I may now call you my Mistress, and must tell you, that I have been in the Holy Office these fourteen Years, and know the Customs of it very well; but as Silence is imposed upon me, under Pain of Death, I cannot tell you any Thing but what concerns your Person; So, in the first Place, do not oppose the holy Father's Will; Secondly, if you see some young Ladies here, never ask them any Questions; neither will they ask you, and take Care that you never tell them any Thing; you may come and divert yourself among them at such Hours as are appointed; you shall have Musick, and all Sorts of Recreations; three Days hence you shall dine with them; they are all Ladies of Quality, young and merry; you will live so happy here, that you will not wish to go abroad; and when your Time is expired, then the holy Fathers will send you out of this Country, and marry you to some Nobleman. Never mention your own Name, nor *Don Francisco's*, to any; if you see here some young Ladies you have formerly been acquainted with, no Notice must be taken, nor nothing talked of but indifferent Matters. All this made me astonished, or rather stupified, and the Whole seemed to me a Piece of Enchantment. With this Lesson she left me, saying she was going to order my Dinner; every Time she went out she lock'd the Door. There were but two Windows in my Room, and they were so high that I could see nothing thro' them; but hunting about, I found a Closet, with all Sorts of historical and profane Books; so I spent my Time till Dinner in reading, which was some Satisfaction to me.

In about two Hours time she brought in Dinner, at which was every Thing that could satisfy the most nice Appetite; when Dinner was over, she left me alone, and told me, if I wanted any Thing I might ring the Bell, and call: So I went to the Closet again, and spent three Hours in reading. I think really I was under some Enchantment; for I was in a perfect Suspension of Thought, so as to remember neither Father or Mother. *Mary* came and told me, that *Don Francisco* was come home, and that she thought he would come to see me very soon, and begged of me to prepare myself to receive him with all manner of Kindness.

At Seven in the Evening *Don Francisco* came, in his Night-gown and Cap; not with the Gravity of an Inquisitor, but with the Gaiety of an Officer.

He

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He saluted me with great Respect, and told me, at the same time, that his coming to see me, was only to shew the Value he had for my Family, and to tell me, that some of my Lovers had procured my Ruin forever, having accused me in Matters of Religion; that the Informations were taken, and the Sentence pronounced against me, to be burnt alive in a Dry-Pan, with a gradual Fire; but that he, out of Pity, and Love to my Family, had stopped the Execution of it. Each of these Words was a mortal Stroke to my Heart; I threw myself at his Feet, and said, Ah! Seignior, have you stopped the Execution forever? That only belongs to you to stop it, or not, said he, and with this he wished me a good Night. As soon as he went away, I fell a crying, but *Mary* came and asked me what could oblige me to cry so bitterly. Ah! good *Mary*, said I, pray tell me what is the meaning of the Dry-Pan, and gradual Fire? For I expect to die by it. O Madam, replied she, never fear; you shall see e're long the Dry-Pan and gradual Fire; but they are made for those that oppose the Holy Father's Will: Not for you that are so good to obey it. But pray, was Don *Francisco* very obliging? I do not know, said I, for his Discourse has put me out of my Wits; he saluted me with great Civility, but he left me abruptly. Well, said *Mary*, you do not yet know his Temper, he is extremely kind to People that are obedient to him, but if they are not, he is as unmerciful as *Nero*; so for your own Sake, take care to oblige him in all Respects; and now, dear Madam, pray go to Supper, and be easy. But the Thoughts of the Dry-Pan troubled me so much, that I could neither eat, nor sleep that Night.

Early in the Morning *Mary* got up, and told me, that no-body was yet stirring in the House, and that if I would promise Secresy, she would shew me the Dry-Pan and gradual Fire; so taking me down Stairs, she brought me into a large Room with a thick Iron Door, and within it was an Oven burning at that time, and a large Brass Pan upon it, with a Cover of the same, and a Lock to it. In the next Room, there was a great Wheel covered on both sides, with thick Boards; and opening a little Window in the Center of it, she desired me to look with a Candle on the Inside of it. There I saw all the Circumference of the Wheel was set with sharp Razors. After that, she shewed me a Pit full of Serpents and Toads. She said, now my good Mistress, I'll tell you the Use of these three Things. The Dry-Pan is for Hereticks, and those that oppose the Holy Father's Will and Pleasure. They are put naked alive into the Pan, and the Cover of it being lock'd up, the Executioner

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begins to put a small Fire in the Oven, and by degrees he augmenteth it; till the Body is reduced to Ashes. The second is designed for those that speak against the Pope, and the Holy Fathers; for they are put within the Wheel; and the little Door being lock'd, the Executioner turns the Wheel till the Person is dead. And the third is for those who contemn the Images, and refuse to give due Respect and Veneration to Ecclesiastical Persons: For they are thrown into the Pit, and so become the Food of Serpents and Toads. Then *Mary* said to me, that another Day, she would shew me the Torments for publick Sinners; but I was in so great an Agony at what I had seen, that I desired her to shew me no more Places; so we went to my Room, and she again charged me to be very obedient to all the Commands *Don Francisco* should give me, or I might be assured, if I was not, that I must undergo the Torments of the Dry-Pan. I conceived such an Horror of the gradual Fire, that I was not Mistress of my Senses; so I promised *Mary* to follow her Advice. If you are in that Disposition, said she, leave off all Fear, and expect nothing but Pleasure and Satisfaction. Now let me dress you, for you must go to with a good Morrow to *Don Francisco*, and to breakfast with him. Having said this, she conveyed me through a Gallery into his Apartment; he was still in Bed, and desired me to set down by him, and ordered *Mary* to bring the Chocolate two Hours after. When she was withdrawn, he immediately declared his Inclination in so ardent a Manner, that I had neither Strength or Power to oppose him; and so by extinguishing the Fire of his Passion, I was freed from the Dry-Pan. When *Mary* came with the Chocolate I was very much ashamed to be seen in Bed with him; but she coming to the Bedside where I was, and kneeling down, paid me Homage as if I had been a Queen, and served me first with a Cup of Chocolate, desiring me to give another Cup to *Don Francisco*, which he received mighty graciously; after Breakfast she went away; we discoursed for some Time of various Things; but I never spoke a Word, but when he desired to answer him; so at ten o'Clock *Mary* came again and dressed me.

We left *Don Francisco* in Bed, and she carried me into another Chamber, very delightful, and better furnish'd then the first; for the Windows were lower, and I had the Pleasure of seeing the River and Gardens. *Mary* then told me, that the young Ladies would come to pay me their Compliments before Dinner; and would take me to dine with them; and begg'd me to remember her Advice; she had scarce finished these Words, before I saw a Troop of young beautiful Ladies, finely dressed, who all

one after another came to embrace me, and to wish me Joy. My Surprise was so great, that I was unable to answer their Compliments; but one of them seeing me so silent, said to me, Madam, the Solitude of this Place will affect you in the Beginning, but when you begin to feel the Pleasures and Amusements we enjoy, you will quit your pensive Thoughts; now we beg of you the Honour to come and dine with us to Day; and henceforth three Days in a Week. I returned them thanks, and so we went to Dinner. That Day we had all sorts of exquisite Meats, delicate Fruits, and Sweetmeats. The Room was long, with two Tables on each side, and another at the Front of it; and I reckoned in it that Day fifty two young Ladies, the eldest of them not exceeding twenty four Years of Age: Six Maids did serve the whole Number of us: But *Mary* waited on me alone. After Dinner we went up Stairs into a long Gallery; where some of us play'd on Instruments of Musick, others at Cards; and some walked about, for three or four Hours together. At last *Mary* came up ringing a small Bell, which was, as they informed me, the Signal to retire into our Rooms: But *Mary* said to the whole Company, Ladies, to Day is a Day of Recreation, so you may go into what Rooms you please till eight o'Clock. They all desired to go to my Apartment with me: We found in my Anti-chamber a Table, with all sorts of Sweetmeats upon it: Iced-Cinamon, Almonds-Milk, and the like. Every one did eat and drink; but no body spoke a Word touching the Sumptuousness of the Table, or concerning the Inquisition, or the Holy Fathers. So we spent our Time in merry indifferent Conversation, till eight o'Clock, and then every one retired to their own Room.

As soon as they were gone, *Mary* let me know that Don *Francisco* did wait for me; so we went to his Apartment; and Supper being ready, we sat down, attended only by *Mary*. After it was over, she went away, and we to Bed. Next Morning she served us with Chocolate, which after we had drank we slept till ten; at which time we got up. When I returned to my own Chamber, I found ready two Sutes of Clothes of rich Brocade, and every thing else suitable to a Lady of the first Rank. I put on one, and when I was quite dress'd, the Ladies came to wish me Joy, all dressed in different Clothes, much richer then before. We spent the second Day, and third Day in the same Recreation; Don *Francisco* continuing in the same manner with me: But on the fourth Morning, after drinking Chocolate, *Mary* told me, that a Lady was waiting for me in her own Room, and with an Air of Authority desired me to get up. Don *Francisco* saying nothing to the contrary, I obey'd,

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and left him in Bed: I thought this was to give me some new Comfort, but I was very much mistaken; for *Mary* conveyed me into a Lady's Room not eight Foot long, which was a perfect Prison; and told me this was my Room, and this young Lady my Bed-fellow and Companion; and without saying any more, she left me there.

What is this dear Lady, said I? is it an enchanted Place, or Hell upon Earth? I have lost Father and Mother, and what is worse, I have lost my Honour, and my Soul forever. My new Companion, seeing me like a mad Woman, took me by the Hands, and said, dear Sister, for this is the Name I will henceforth give you, forbear to cry and grieve; for you can do nothing by such extravagant Behaviour, but draw upon yourself a cruel Death; your Misfortunes and ours are exactly of a Piece; you suffer nothing that we have not suffered before you; but we dare not shew our Grief for fear of greater Evils: Pray take Courage, and hope in God, for he will surely deliver us out of this hellish Place; but be sure you shew no Uneasiness before *Mary*, who is the only Instrument either of our Torments or Comfort: Have patience till we go to Bed, and then I will venture to tell you more of the Matter, which I hope will afford you some Comfort. I was in a most desperate Condition; but my new Sister *Leonora* prevailed so much upon me, that I overcame my Vexation before *Mary* came again to bring our Dinner, which was very different from what we had for three Days before. After Dinner another Maid came to take away the Plate and Knife, for we had but one for us both: after she had gone out and lock'd up the Door; Now my dear Sister (said *Leonora*) we shall not be disturbed again till eight at Night; so if you will promise me upon your Hopes of Salvation, to keep secret, while you are in this House, all the Things I shall tell you, I will reveal all that I know. I threw myself at her Feet, and promised all that she desired; upon which, without further Ceremony, she began as follows:

"My dear Sister, you think your Case very hard; but I assure you, all the Ladies in this House have already gone thro' the same; in time you shall know all their Stories, as they hope to know yours. I suppose *Mary* has been the chief Instrument of your Fright, as she has been of ours, and I warrant she has shewn you some horrible Places, tho' not all, and that at the only Thought of them, you were so much troubled in your Mind, that you have chosen the same Way we did, to save yourself from Death. By what has happened to us, we know that *Don Francisco* has been your *Nero*; for the three Co-

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"lours of our Cloaths are the distinguishing Tokens of the Three holy
 "Fathers; the Red Silk belongs to *Don Francisco*, the Blue to *Gerr-*
 "*ero*, and the Green to *Aliaga*: For they always give the three first
 "of these Colours to those Ladies that they bring hither for their Use. We
 "are strictly commanded to make all Demonstrations of Joy, and to be
 "very merry for three Days when a young Lady comes first here; as
 "we did with you, and you must do with others: But afterwards we live
 "like Prisoners, without seeing any living Soul but the six Maids, and
 "*Mary*, who is the House-keeper. We dine all of us in the Hall
 "three Days in a Week. When any One of the holy Fathers has a mind
 "for one of his Slaves, *Mary* comes for her at nine of the Clock, and
 "carries her to his Apartment: But as they have so many, the Turn
 "comes it may be but once in a Month, except for those that happen to
 "please them more than ordinary, and they are sent for often. Some
 "Nights *Mary* leaves the Door of our Rooms open, and that is a Sign
 "that one of the Fathers has a Mind to come that Night; but he comes
 "so silent, that we do not know whether he is our Patron or not. If
 "one of us happen to be with Child, she is removed into a better Cham-
 "ber, and she sees no body but the Maid till she is deliver'd. The
 "Child is taken away, and we do not know where it is carried. I have
 "been in this House six Years, and was not Fourteen when the Offi-
 "cers took me from my Father's House: I have had one Child here.
 "We have at present fifty two young Ladies, and we lose every Year
 "six or eight; but we do not know where they are sent. We always
 "get new in their Places; and sometimes I have seen here seventy three
 "Ladies at once. Our continual Torment is to think, that when the
 "holy Fathers are tired of one, they put her to death; for they never
 "will run the Hazard of being discovered in their Villany: So tho' we
 "cannot oppose their Commands; yet we continually pray to God to
 "pardon those Ills we are forced to commit, and to deliver us out of
 "their Hands; so my dear Sister, arm yourself with Patience, for there
 "is no other Remedy.

This Discourse of *Leonora* prevail'd on me to appear outwardly easy
 before *Mary*; I found every Thing as she told me. And in this Manner
 we lived together eighteen Months, in which Time we lost eleven La-
 dies, and we got nineteen new ones. I knew all their Stories, which are
 too long to tell you To-night; but if you will stay here this Week you
 will not think your Time lost. I promised to stay with a great deal of
 Pleasure, but begg'd her to finish her own Story, which she did as follows:

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After

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After eighteen Months, one Night *Mary* came in, and ordered us to follow her down Stairs, where we found a Coach waiting, into which she forced us to go, and this we thought the last Night of our Lives; however, we were carried to another House, and put into a worse Room than the former, where we were confined above two Months without seeing the Face of any Body that we knew; and in the same Manner we were removed from that House to another, where we continued, till we were miraculously delivered by the *French* Officers. Mr. *Faulcant*, happily for me, did open the Door of my Room, and from the Moment he saw me, shewed me great Civility; he took *Leonora* and me to his own Lodgings, and, after hearing our Stories, for fear Things should turn to our Disadvantage, he dressed us in Men's Clothes for the more Safety, and sent us to his Father's. So we came to this House, where I was kept for two Years, as the old Man's Daughter; till Mr. *Faulcant's* Regiment being broke, he came home, and two Months after married me. *Leonora* was married to another Officer; they live in *Orleans*, which being in your Way to *Paris*, I hope you will pay her a Visit; my Husband is now at Court, soliciting for a new Commission; he will be very glad of your Acquaintance. Thus ended our Entertainment the first Night.

RELATION VIII.

An Abstract of Mr. William Lithgow's Travels and Sufferings.

THIS *William Lithgow* was a *Scotchman*, of what Family or Fortune at this Distance of Time is not easy to determine, nor is the Enquiry very material. He rambled, while a Lad, over the Northern and Western Islands, adjoining to his Native Country; afterwards he visited *Germany*, *Bobemia*, *Swisserland*, and the *Low Countries*. On the 7th of *March* 1609, he set out from *Paris* on those Travels, of which he has written an Account, chequer'd, as the Manner of those Times was, with Verse and Prose, and pedantically describing Adventures which are scarce worth reading; for had it not been that he fell into the Hands, first of the Civil Power, and then of the Inquisition in *Spain*, I dare say his Book, as it is now become very scarce, so it would have been as little sought for. However, the Unimportance of the Man, the Folly

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Folly of his Behaviour, and the whimsical Materials of his Journal, are so many glaring Proofs, that in Catholick Countries, subject to the Court of whose Proceedings we write, even Weakness of Understanding is no Protection, but a saving idle Rambler is in as much Danger from the Holy Office, as if he came an Apostle of Protestantism in *Partibus Infidelium*; such is the undistinguishing Rage of a bigotted Court and a Bloodthirsty Clergy, that as the smallest Offence can provoke, so no Argument can allay their Fury. Let us now come to the Recital of his Misfortunes, which we shall give with a strict Regard to his Sense, tho' the Obsolescence, as well as Uncouthness of his Style has obliged us to make some Alterations in his Language.

At *Malaga* in *Spain*, he tells us, he contracted with the Master of a *French* Ship for his Passage to *Alexandria*; designing from thence to go to visit the Court of *Prestor John*, as he calls him, by whom doubtless he meant the Emperor of the *Abyssines*; but while he waited for his Passage, viz. on the 17th of *October*, 1620, the *English* Fleet, cruising for the *Algerine* Rovers, came to an Anchor before *Malaga*, which it seems put the Town into a very great Consternation, the People mistaking them for *Turks*: Morning, however, discovered the Mistake, and *Don Jasper Ruiz de Peridas*, Governor of *Malaga*, perceiving the Cross of *England* in their Colours, went on Board *Sir Robert Mansel's* Ship, who commanded on that Expedition, where meeting with a very kind and friendly Reception, he, on his Return, silenced the Fears of his Burghers, and dismissed them of their Arms. In the Afternoon, and the following Day, several Persons from on Board the Fleet came ashore; among whom several were the particular Acquaintance of *Mr. Litbgor*, who, after reciprocal Compliments, spent some Days together in viewing the Town and in Merriment. They then invited him on board, to pay his Respects to the Admiral, who received him very kindly, and detained him until next Day, when the Fleet saild; at which Time he came ashore, contrary, it seems, to the Advice of the Commander, who would have taken him with him to *Algeirs*; but his Baggage, &c. being in the Town, he could not accept of that Offer.

On his Entrance into the Town, as he was going to his Lodging by a private Way, (being to embark the same Night for *Alexandria*) he found, notwithstanding his aforesaid Precaution, himself surrounded in a narrow uninhabited Street by nine Serjeants, or Officers, who suddenly, seizing him, wrapped him up in a black Cloke, and carried him by Force to the Governor's House; where being brought into his Presence, he

he earnestly besought him that the Cause of this Violence offered him might be made known; but the Governor only answer'd by shaking his Head, and gave Orders that he should be strictly watched till his Return from his Devotions; directing at the same Time, that the Captain of the Town, the Alcaid Major, and Town Notary, should be summon'd to attend on his Examination, and that all this should be done with the greatest Secrecy, to prevent the Knowledge thereof reaching the Ears of the *English* Merchants residing in the Town. These Orders being comply'd with, and the Governor and these Officers having seated themselves, the Serjeants were ordered to retire: The Governor proceeded to ask him the usual Questions, of his Country, whether bound, and how long he had been in *Spain*; to which the Prisoner having answered, he was withdrawn to a Closet. In a short Space of Time the Town Captain entered the Room, and enquired whether he had ever been at *Seville*, or was lately come from thence, and clapping his Cheeks with an Air of Friendship, conjured him to the Truth; for, said he, your very Countenance shews there is some hidden Matter in your Mind, which Prudence would direct you to disclose. But finding himself unable to extort any Thing from him to favour their Purpose, he reported the same; whereupon he was brought before them again; a general Accusation was mentioned unto him, and he was obliged to hold up his Hand, and swear to give true Answers to what shall be demanded of him. The Governor then proceeded to enquire of the Quality of the *English* Commander, and Mr. *Lithgow's* Opinion, what were the Motives that prevented his accepting the Invitation made him on his Part to go ashore; he demanded likewise the Names of the *English* Captains in the Squadron, and what Knowledge he had of the Imbarcation, or Preparation for it before its Departure from *England*; all which several Answers were set down in Writing by the Notary; but the Junto seem'd surprized at his denying his being privy to the Fleets fitting out, in particular the Governor swore he lied like a Villain, that he was a Traitor and Spy, and came directly from *England* to *Spain*, to favour and assist in the Designs that were projected against *Spain*, and had been for that Purpose nine Months in *Seville*, to procure Intelligence of the Time the *Spanish* Navy was expected from the *Indies*: They objected his Familiarity with the *English* Officers, and above three hundred other *English* Gentlemen, between whom unusual Civilities had passed; that all these Transactions had been carefully remark'd: Besides, to sum up the Whole, and put the Truth past all Doubt, they said, that he just came from a Council of War held that

Morn-

Morning on board the Admiral's Ship, in order to put in Execution the Orders assign'd him: They upbraided him with the burning of the Island of *St. Thomas* in the *West Indies*, wherefore, said these Chatholick Magistrates, these *Lutherans*, and Sons of the Devil, ought to have no Credit given to what they say or swear.

In vain did this unhappy Man endeavour to obtain Belief with such prejudiced Judges: He besought them, that he might have Leave to send for his Cloke-Bag, wherein his Papers and Letters were, which might give some Light to, and serve to shew his Innocence. They consented to that Request of his, as thinking 'twould open some Scene of Affairs of which they were ignorant. The Cloke-Bag was brought and opened, and contained a License from King *James I.* under the Sign Manual, setting forth the Author's Intention to travel into *Ethiopia*, which was treated by the haughty *Spaniards* with great Contempt. The other Papers consisted in Passports, Testimonials, &c. of divers Persons of great Quality, particularly the Great Seal of *Jerusalem*; but all these Credentials seem'd to confirm rather than abate their Suspicions; whereupon seizing upon all his Papers, he was a third Time withdrawn; and in the Evening the Governor commanded him to subscribe his Confession: He obey'd, and they pressed his making a further and more ample Confession.

In the mean Time a Consultation being held about the Means to be used for his Confinement, they differed in Sentiments. The Alcade, or Chief Judge, was for confining him in the Town Prison; but the Corrigidore objected against it, saying, in *Spanish*, in order to prevent the Knowledge of his Confinement from reaching his Countrymen, I will take the Matter upon me, and be answerable for the Consequences; upon which it was agreed, that he should be confined in the Governor's House with great Secrecy. Soon after a Serjeant entered the Room, and begged his Money, and Liberty to search him, which being granted, he took out of Mr. *Lithgow's* Pockets eleven Ducatoons; and then unclothing him to his very Shirt, and searching his Breeches, he found enclosed, between two Canvasses, in the Waistband, one hundred and thirty-seven double Pieces of Gold; upon which the Corrigidore got up from his Seat, and told over the Money, which amounted to five hundred and forty-eight Ducats, and ordered the Serjeant to clothe him again, and shut him up in the former Place of Security till after Suuper; mean Time the Serjeant and Governor divided the Money, to wit, eleven Ducatoons of Silver to the Serjeant, and the Residue the Governor

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seized, giving afterwards two hundred Crowns of it toward building the Capuchin Monastery there.

About Midnight, the Serjeant and two *Turkish* Slaves released him from the Confinement he was then in, in order to introduce him into one more horrible: which they did, by conveying him through certain Passages to a Chamber in a remote Part of the Palace, towards the Garden, where they loaded him with Irons, and extended his Legs by means of an Iron Bar of above a Yard long, the Weight of which was so great, that he was, as he declares, incapable of standing or sitting, and obliged to lie continually on his Back. Having left him in this Condition, they returned in a short Time with a Refreshment of Victuals, being about a Pound of boiled Mutton, a small Loaf, and some Wine; being the first, the best, and the last of this Kind he ever had during the Time of his Confinement there. The Serjeant then left him, ordering them to lock the Door, and carry the Key to a trusty Servant. The Day following, the Governor came in Person to the Place of Mr. *Lithgow's* Confinement, promising him Release from his Misery, and a thousand other Advantages, to induce him to confess his being a Spy; but on his protesting his Innocency, he left him in great Wrath, swearing he should see him no more, until more grievous Torments should constrain him to confess; commanding the Person to whose Care he was committed, that he should permit no Person whatever, to have Access to, or commune with him; that his Sustenance should not exceed three Ounces of musty Bread, and a Pint of Water, every second Day; that he should be allowed neither Bed, Pillow, nor Coverlet. *Close up,* said he, *this Window in his Room with Lime and Stone; stop up the Holes of the Door with double Mats; let him have nothing that bears any Likeness to Comfort:* These, and several other Orders of the like Severity, were given to render it impossible for his Condition to be known to those of the *English* Nation.

Upon executing these Orders, this miserable Man remained in that melancholy State, without any Sustenance, or seeing any Person for two or three Days, by which Time the Governor received an Answer from *Madrid*, and, pursuant to the Instructions given him, began to put in Practice the Cruelties devised, which they hastened, because Christmas Holy-Days approached, it being then the forty-seventh Day since his Imprisonment. He relates, that about two o' Clock in the Morning, he heard the Noise of a Coach in the Street; and, at some Distance of Time, heard the opening of the Prison Doors, not having had any Sleep for



The Gardener's Song.

Design what e'er we will,
There is a Fate which over-rules us still.



two Nights; Hunger, Pain, and melancholy Reflection, not suffering him to take any Repose. Immediately the former nine Serjeants with the Notary came into the Place where he lay, and, without uttering a Word to him, convey'd him thence, in his Irons as he was, through the House into the Street, where a Coach waited, and laid him on his Back therein. Two of them sat beside him, the others walking by the Coach Side, but with profound Silence. They drove about a League out of Town to a Vine-Press House, where he was shut up till Morning, to which Place the Rack was privately convey'd before; at Break of Day, the Governor Don *Francisco*, and the Alcaide, came thither in a Coach, into whose Presence he was brought, and desired to have an Interpreter assign'd him, as their Law allowed to Strangers unacquainted with their Language and Customs, but was absolutely refused it; nor would they allow his Appeal to *Madrid*, as being a superior Judicature: But after a long Examination, which lasted from Morning till dark Night, in which there appeared so exact a Conformity with his former Confessions, they declared he had learned them by Heart, no Prevarication being to be found: They pressed him again to make a genuine Discovery; that is, accuse himself of Crimes supposed; the Governor adding, *You are still in my Power; I can set you free, if you comply; if not, I must deliver you to the Alcaide*: But nothing being able to strike his Constancy, he commanded the Notary to draw up a Warrant for delivering him to the Alcaide-Major's Hands to be tortured.

He was immediately carry'd in Arms by the Serjeants to the End of a Stone Gallery, where the Rack was placed. The *Encarrouador*, or Executioner, began to knock off his Irons, which put him to very great Pain, the Bolts being so close rivetted, that the vile Fellow striking with a Sledge Hammer for greater Dispatch, tore away above an Inch of his Heel, in forcing off the Bolt; the Anguish of which, together with his weak Condition, not having had the least Sustenance for three Days, occasioned him to groan bitterly; on which the merciless Alcaide said, *Villain, Traytor, this is but the Earnest of what you shall endure*. When his Irons were off the poor Man fell on his Knees, uttering a short Prayer, that God would be pleased to enable him to be stedfast, and undergo courageously that grievous Trial of his Constancy when straitway the Alcaide and Notary having placed themselves in Chairs, he was stripped, naked, and fixed on the Rack, the Office of these Gentlemen being to be Witnesses of, and set down the Confessions and Tortures endured by the Delinquent. The Various Torments to which he was put

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surpassing all Description, I refer the Reader to the Account given thereof in the Article of the Inquisition Torture. Let it suffice, that he lay on the Rack for above five Hours; during which Time, he had inflicted upon him above sixty different Tortures of so hellish a Nature, that it would seem that Devils had been the Authors thereof; notwithstanding that he must have died under them, had these Cruelties been continued but some few Minutes longer. In that Condition, he had his Irons clapped on again, and was removed to his former Dungeon, having received no other Nourishment, save a Couple of Eggs, and some warm Wine, rather given to prevent his dying, and reserve him for more Punishments, than from any Principles of Charity, or Compassion. To confirm the Truth of this, Orders were given for a Coach to pass every Morning before Day by the Prison, that by its rumbling Noise, it might give fresh Terrors and Allarms to the unhappy Prisoner, and so deprive him of all Possibility of Rest or Tranquillity of Mind, as seeming to forbode a Repetition of the former Cruelties; this they practised till Christmas Day. Upon this Day *Mariana*, Waiting-Woman to the Governor's Lady, had Leave given her to visit him, and brought some Refreshments, consisting of Honey, Sugar, Raisins, and other Confections, which very much relieved him; and was so touched with a Sense of his Misfortunes, that she wept very bitterly, expressing her great Concern that she could contribute nothing farther to his Assistance.

They continued Mr. *Lithgow*, as before described, though an Occasion soon afterwards fell out, that might have cleared up their Doubts concerning him, by Sir *Richard Hawkins's* Arrival with his Squadron, from his Cruise, a little after Christmas; who having Intelligence of their ill-grounded Suspicions, with respect to his Orders, expostulated with the Governor thereupon; but the great Secrecy with which all the Transaction relating to Mr. *Lithgow* had been carried on, prevented it from coming to his Knowledge: And, besides imagining him to be on this Voyage, all Means for Relief was shut from the miserable Man; for upon Sir *Richard's* Departure from the Coast, they renewed their Threats till about Candlemas; when he was quite spent in that loathsome Confinement, and over-run with Vermin, which crawled in Clusters about his Beard, Lips, Eye-Brows, &c. so that he could scarce open his Eyes; and besides, he had no Use of his Hands or Legs to defend himself, he was so miserably maimed by the Tortures. Under such a Pressure of Affliction 'tis wonderful that he lived; nay, he declares that the Governor ordered the Vermin to be swept upon him twice in every eight Days, though

though at the same Time he acknowledges the greater Humanity of a *Turkish* Slave, who had done him, contrary to his Orders and their Expectations, several Kindnesses, and would at Times, when he could with Safety, burn the Vermin with Sticks and Oil.

At Length he received an Account from the said Slave, which gave him little Hopes of Release; but rather an Assurance of ending his Days under new Tortures: for that an *English* Seminary Priest, and a *Scotch* Cooper, had been for some Time employ'd by the Governor in translating from the *English* into the *Spanish* Language all his Books and Observations; and that they had an Allowance of thirty Ducats as a Reward; that it was commonly said in the Governor's House, that he was an Arch-Heretic; so that he began, not without Reason, to fear that they would rid themselves of him, seeing they could neither by Torture, nor otherwise, bring him to vary from what he had all along said on his Examinations: Accordingly, two Days after, the Governor, the Inquisitor, a Canonical Priest, accompanied with two Jesuits, entered his Dungeon, and being seated, after several idle Questions, the Inquisitor asked Mr. *Lithgow*, if he was a *Roman Catholick*, and acknowledged the Pope's Supremacy; to which he answer'd, that he neither was the one, nor did the other; adding, that he was surpriz'd at his being asked such Questions, since it was expressly stipulated by the Articles of Peace subsisting between the two Crowns, that none of the *English* Subjects should be liable or subject to the Inquisition, or any way molested by them on Account of Diversity in Religion, &c. making Use (in the Bitterness of his Soul) of some warm Expressions no ways suiting his Circumstances, viz. *As you have murdered me for pretended Treason, so now you intend to make a Martyr of me for Religion*; expostulating besides with the Governor for the ill Return he made the King of *England*, whose Subject he was, for the princely Humanity exercised towards the *Spaniards* in 1588. when their *Armado* was ship-wrecked on the *Scotch Coast*, and thousands of the *Spaniards* found Relief in his Kingdom, who otherwise must have perished miserably. The Governor admitted the Truth of what he said, but reply'd with a haughty Air, that the King, who then only ruled *Scotland*, was actuated more by Fear than Love; and therefore deserved no Thanks. One of the pious Jesuits said, there was no Faith to be kept with Hereticks: Then the Inquisitor arising, expressed himself in the following impious and blasphemous Manner: *Behold*, said he, *the powerful Majesty of God's Mother, Commander of her Son, equal to the Father, Wife to the Holy Ghost, Queen of Heaven, Protectress of Angels, and sole Gover-*

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ness of the Earth, and such like shocking Epithets, that you being first taken up as a Spy, accused of Treachery, and tortured (as we acknowledge) innocently, which appears by the Account lately received from Madrid, of the Intention of the English, yet it was her Power, her Divine Power, which brought these Judgments upon you, for presumptuously treating her Blessed Miracle of Loretto into Ridicule, and expressing yourself in your Writings irreverently of his Holiness, the great Agent, and Christ's Vicar upon Earth; therefore you are justly fallen into our Hands by their special Appointment: Thy Books and Papers are miraculously translated, by her special Providence and Assistance influencing thy own Countrymen. This Pedantic Trumpery being ended, they gave him eight Days Time to consider in, and resolve to be a Convert to their Religion; during which Time the Inquisitor promised himself together with other religious Orders to attend him, and give him such ghostly Helps thereto, as he stood in need of: One of the Jesuits had the Charity to say (making first the Sign of the Cross upon his Breast) *My Son, behold you deserve to be burnt alive; but by the Grace of our Lady of Loretto, whom you have blasphemed, we will both save your Soul and Body.*

In the Morning the three Ecclesiasticks returned, and the Inquisitor asked him what Difficulties he had on his Conscience that retarded his Conversion; to which Mr. Lithgow very properly answered, that he had no Doubts in his Mind, being confident in the Promises of Jesus Christ, and assuredly believing his revealed Will, signified in the Gospels, as professed in the Reformed Catholick Church, being confirmed by Grace, and having infallible Assurance thereby of the true Christian Faith: To these Words he replied, *Thou art no Christian, but an absurd Heretick, and without Conversion, a Member of Perdition!* The Prisoner then told him flatly, that it did not consist with the Nature and Essence of Religion and Charity, to convince by opprobrious Speeches, Racks, or Torments, but by Arguments deduced from the Scriptures; and that all other Methods would with respect to him be ineffectual: Whereat the Inquisitor being enraged, kicked him in the Face, using many abusive Speeches, altogether unbecoming the Gravity of the Station he was in, departing from the Character of a Gentleman, Scholar, or Ecclesiastick, carrying his Bigotry and flaming false Zeal to that of a Fury, attempting to stab the miserable Man, loaded with so many insufferable Torments; and he had certainly accomplished it, if he had not been prevented by the Jesuits; and from that Time he never came more to visit him. The ensuing Day the two Jesuits returned, and putting on a very grave supercilious Air, the Super-

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rior asked him, what Resolution he had taken? He told him, he was already resolved, unless he could shew him good Reason to the contrary: Whereupon, after a Pedantick Display of their seven Sacraments, Intercession of Saints, Transubstantiation, Images, Purgatory, Miracles, Merit, &c. he boasted mightily of their Church, her Antiquity, Universality, and Uniformity; which Mr. *Lithgow* deny'd: For, said he, *the Profession of the Faith I hold, hath been ever since the first Days of the Apostles, and Christ had ever his own Church (howsoever obscure) in the greatest Time of your Darkness.* Finding their Arguments had not the desired Effects, that Torments could not shake his Constancy, nor even the Fear of the cruel Sentence he had Reason to expect would be pronounced and executed on him, they left him, after severe Menaces; and on the eighth Day after, being the last Day of their Inquisition, when they pronounce Judgment, they returned again, but quite altered in Words and Behaviour; when having repeated much the same Kind of Arguments, the two Jesuits, with Tears in their Eyes, protested they were sorry from their Hearts for that terrible Death he should undergo; but above all, for the losing his more precious Soul; and falling down on their Knees, cry'd out, *Convert, convert, O dear Brother, for our blessed Lady's Sake convert!* He answered, he feared neither Death, nor Fire, being prepared for both: Whereupon they called the Governor, and having consulted together, he came in and spoke to the following Effect: *Dear Brother, my greatest Desire is, that thou shouldst be a good Christian, a Roman Catholick; to which, if your Conscience will yield, I will shew you as great Courtesy, as you have suffered Cruelty; for 'tis Pity that such an invincible Spirit, and endued with so many Virtues, should perish in both Worlds for ever: Be of Courage to let the Love of our Blessed Lady enter your Soul, let not your former Sufferings dismay you, for I will give Order for the Cure of your Wounds, and that you shall be attended and accommodated with all Things necessary, in order for your Recovery; your Money and Papers shall be returned, your Heretical Books being already burnt: And further, to demonstrate my Regard for you, I will send my own Servant to the King, my Master, with Recommendatory Letters to him and the Council, from the Holy Inquisition and myself; by which Means you may assure yourself of obtaining a Pension of three hundred Ducats a Year.* But finding Rewards equally influenced his Constancy, they all left him in great Rage, and repaired to the Bishop and Inquisitor; for the Governor was the Instrument of accusing him to the Inquisition, to free himself from the Aspersions that might be justly laid at his Door.

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for the torturing and confining, contrary to all Laws of Reason and Nations, in direct Violation of Treaties subsisting, a Subject of a great Foreign Prince in Amity with *Spain*, upon Matter of Conjecture only; so that the Inquisition was brought in as an Assistant and Screen. The first Effects Mr. *Lithgow* felt of this bloody Tribunal, was a Sentence to receive that Night eleven different Tortures, under the Pressure of which if he did not die (which might well be expected from the maimed, bruised, and disjoined Condition he was in, a Spectre consumed, enfeebled, and famished) he was, after *Easter* Holy-days, by the Sentence aforesaid, to be carried to *Granada*, and burnt alive to Ashes: The first Part of the Sentence was executed with great Barbarity that Night; and it pleased God to give him Strength and Resolution, both of Body and Mind, to stand fast to the Truth, and outlive it. When they had glutted their Revenge with these unheard-of Cruelties, he was again bolted, and put into the former Dungeon, where he lay till next Morning, when the *Turkish* Slave before-mentioned brought him, as he thinks, secretly in his Shirt Sleeve, some Raisins and Figs, which he licked up in the best Manner his Strength would permit, with his Tongue. He attributes his surviving so long, under such various Torments, to this Compassion of the *Turk*, who found Means of conveying him some of those Fruits once or twice every Week of his Confinement; and what is very extraordinary and worthy of Note, is that this poor Slave, bred up from his Infancy according to the Maxims of his Prophet and Parents, in great Hatred and Detestation of Christians, should be so moved with Compassion and Pity for his sad State, that he fell ill, and was detained in Bed sick for several Days, occasioned by the inhuman Usage of his Fellow Creature; which the Servants of the Governor being apprehensive of, endeavoured to turn his Pity into Detestation of him, saying, he was a Necromancer, and a blasphemous Person, having highly derided and prophaned their Pope, their Lady, and Church; insomuch that for forty Days after, he never durst once come near Mr *Lithgow*, who was in the mean Time attended by a Negro Woman, a Slave, who found Means to furnish him still more amply than the *Turk*, having better Opportunity, being more conversant in the House and Family: She brought him every Day for four Weeks some Nourishment, with a little Wine in a Bottle.

During this Interval, since the last Torturing, Mr. *Lithgow* waited for the Day, which, by putting an End to Life, would also end his Torments; when it pleased God to work his Deliverance in the following Man-

Manner: It happen'd a *Spanish* Gentleman of Quality came from *Granada* to *Malaga*, who being invited to Supper by the Governor, he entertain'd the Gentleman, among other Discourses, with a Detail of what had befallen Mr. *Lithgow*, from the Time of his being first apprehended on Suspicion of being a Spy, as before related, being very circumstantial in every Particular of all his Sufferings; and that it having been afterwards known that he was innocent, it gave him, the Governor, great Concern; and that he would gladly have released him, restored his Money and Papers, and endeavour'd some Attonement for the Injuries he had received; but that upon Inspection of his Writings, several were found of a very blasphemous Nature, reflecting, &c. on their Religion; who refusing to abjure these heretical Opinions, was turn'd over to the Inquisition, by whom he was finally condemn'd; seeming to lament his Condition, and extolling his Constancy of Mind. During the Time of this Discourse a *Flemish* Youth waited at Table, who being struck with Amazement and Pity at the Sufferings of the Stranger, after Supper, and his Return to his Master's Lodging, began to revolve what he had heard in his Mind, which made so strong an Impression on him, that he could take no Rest, imagining in his short Slumbers, that he saw before him, what had been figur'd in his Mind by the aforesaid Relation; a Person on the Rack, and burning in the Fire: In this Anxiety, he pass'd the Night; and when Morning came, he dress'd himself, and not disclosing his Purpose to any Person, he enquir'd for an *English* Factor, and was directed to the House of one Mr. *Wild*, to whom he related the whole of what he had heard discours'd of between his Master and the Governor; but could not tell Mr. *Lithgow*'s Name: However, Mr. *Wild* conjectured 'twas he, by the Servant's remembring the Circumstance of his being a Traveller, and being besides acquainted with him: Whereupon, the *Fleming* being gone, he instantly sent for the other *English* Factors, being about seven then in Town, and consulting with them upon the most proper Expedients, they all agreed to send an Express of the whole of this Affair to Sir *Walter Aston*, his Majesty's Ambassador to the King of *Spain*, then at *Madrid*, who having presented a Memorial to the King and Council of *Spain*, he obtain'd an Order for Mr. *Lithgow*'s Enlargement, and Delivery to the *English* Factory. This Order was directed to the Governor of *Malaga*, to the great Dislike and Surprize of that Bloody Assembly of the Inquisition. In fine, he was released on *Easter Saturday*, about Midnight, and carried on the Slave's Back before-mention'd, to one Mr. *Busbich*'s House, where all proper Comforts were administer'd

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to him. In the mean Time, by good Fortune, there being then a Squadron of *English* Ships in the Road, Sir *Richard Hawkins* came early ashore, attended with a good Guard, and received him from the Merchants. He was carried instantly, in Blankets, on board the *Vanguard*, and three Days after put on board an *English* Ship, by the Direction of the General, Sir *Robert Mansel*, who ordered that he should have all proper Care taken of him: The Factory presented him with all necessary Provisions, Cloaths, &c. consisting in Poultry, Wine, Eggs, Figs, Raisins, Oranges, Lemons, some excellent Bread, and two hundred Reals in Silver. Sir *Richard Hawkins* also sent him two double Pistols.

Before he departed from the *Spanish* Coast, Sir *Richard Hawkins* demanded the Delivery of his Papers, Money, Books, &c. but could obtain no satisfactory Answer on that Head, save Compliments and Hopes. It is worthy of Remark how signally Providence interposed in this poor Man's Behalf, when he was just on the Brink of Destruction; for by his Sentence, from which there was no Appeal, he would have been carried in a few Days to *Granada*, and burned to Ashes; and that a poor ordinary Servant, who had no Manner of Knowledge of the Person, nor was any ways interested in his Preservation, should risque the Displeasure of his Master, and perhaps endanger his Life to disclose a thing of so momentous and perilous a Nature, to a strange Gentleman, on whose Secrecy depended every Thing that regarded him: By such Secondary Means does God interpose, of which this is a very illustrious Example.

But to return from this Digression; after twelve Days lying in the Road, the Ship weighed Anchor, and in fifty Days arrived safe at *Deptford* in *Kent*. The next Morning Mr. *Lithgow* was carried on a Feather-Bed to *Theobald's* in *Hertfordshire*, where the King and Court were; and at the King's coming from Hunting, had the Honour to be shewn to his Majesty, and to recount his Sufferings, who was graciously pleased to express the highest Commiseration of him, comforting him, and giving Orders, out of his princely Bounty, that the Man, whom we will no longer stile miserable, should be sent to the *Bath*, and all his Wants and Charges supplied from his Royal Munificence; by which means, under God, he was restored from the saddest Spectacle and Skeleton, maim'd and bruised, to a great Share of Health and Strength; but lost the Use of his Left Arm; and having several smaller Bones so crushed and broken, that they were incurable.

He never could, notwithstanding all Efforts made Use of, procure any Part of his Money or Effects, though his Majesty and Ministers of State inter-

interested themselves in his Behalf: But by *Gundamore* the *Spanish* Ambassador's Wiles and Management he was frustrated, obtaining no other Recompence than Promises that all his Effects beformentioned, should be restored to him, with a thousand Pounds *English* Money, on Account of the Tortures he endured, which last was to be paid him by the Governor of *Malaga*; and though the King was become a Kind of Guarantee for the Well-Performance thereof, the cunning *Spaniard* found means to elude the same, as he indeed had too great Influence and Weight in our Councils, during the Time of that pacifick indolent Reign, when *England* suffered herself to be bullied into slavish Compliances, by almost all the States and Kings in *Europe*.

RELATION IX.

The Origin of the New Set of QUIETISTS; the Prosecution of the famous MOLINOS; his Condemnation, Imprisonment, and Death.

THE Subject of this Piece is as curious and entertaining, as it is instructive and agreeable to the Nature of the Work; and that the Reader may come into the true Spirit of it, I must inform him, that 'twas written on the Spot, viz. at *Rome*, when the Things related therein happen'd, and by a Person of great Learning and Distinction. I give it mostly in his own Words.

Michael de Molinos, a *Spaniard* of a rich and honourable Family, enter'd into Priest's Orders without taking any Preferment: Whence he seems to have dedicated his Abilities to the Service of God, without View of any Advantage to himself. He passes in *Italy* for a Man both of Learning, and of good Sense. His Course of Life has been exact; but he has never practis'd those Austerities that are so much magnified in the Church of *Rome*, and among the religious Orders: And as he did not affect to practise them, so he did not recommend them to others; nor was he fond of those poor Superstitions that are so much magnified by the trafficking Men of that Church: But he gave into the Method of the Mystical Divines.

That sublime, but mysterious Way of Devotion, was not set out by any of the first Writers of the Church; which is indeed a great Prejudice against it; for how many soever they may be, who have followed it in

the latter Ages; yet *Cassians Collations*, which is a Work of the Middle of the fifth Century, is the antientest Book that is writ in that Strain: For the pretended Areopagite is now by the Consent of all learned Men thought no elder than the End of the fifth, or the Beginning of the sixth Century. Yet after these Books appeared, very few followed the elevated Strains that were in them: The latter was indeed too dark to be either well understood, or much followed. So that this Way of Devotion, if it was practised in Religious Houses, yet was not much set out to the World before St. *Bernard's* Time, whose melting Strains, tho' a little too much labour'd and affected, yet have something in them that both touches and pleases: After him many began to write in that sublime Strain; but above all *Thomas a Kempis*. And when for some considerable Time that Way of Writing was discontinued, it was again raised up in the last Age, with much Lustre by St. *Teresa*; and after her by *Baltasar Alvares*, a Jesuit; and as *England* produced a *Cartusian* in King *Henry VI's* Time, one *Walter Hilton*, who writ the *Scale of Perfection*, a Book inferior to none of these I have cited, and more simple and natural than most of them, so of late Father *Cresse* has published out of Father *Baker's* Papers, who was a Benedictin, a whole Body of that Method of Divinity and Devotion. The right Notion of this Way of Devotion is somewhat hard to be well understood, by those who have not studied their Metaphysics, and is entangled with too many of the Terms of the School, yet I shall give it to you as free as possible.

With Relation to Devotion they consider a Man in three different Degrees of Progress and Improvement: The first is the Animal, or the Imaginative State: In which the Impressions of Religion work strongly upon a Man's Fancy, and his sensitive Powers: This State is but low and mean, and suitable to the Age of a Child; and all the Devotion that works this Way, that raises a Heat in the Brain; Tenderness in the Thoughts, that draws Sighs and Tears, and that awakens many a melting Imagination, is of a low Form, variable, and of no great Force. The second State is the Rational, in which those Reflections that are made on Truths, which convince one's Reason, carry one to all suitable Acts: This they say is dry, and without Motion: It is a Force which the Reason puts upon the Will; and though upon a great Variety of Motives, and many Meditations upon them, the Mind goes through a great many Performances of Devotion, yet this is still a Force put upon the Will. So they reckon that the third and highest State is the Contemplative, in which the Will is so united to God, and overcome by that

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that Union, that in one single Act of *Contemplation*, it adores God, it loves him, and resigns itself up to him; and without wearying itself with a dry Multiplicity of Acts, it feels in one Act of Faith, more Force than a whole Day of Meditation can produce. In this they say that a true Contemplative Man, feels a secret Joy in God, and an Acquiescing in his Will; in which the true Elevation of Devotion lies; and which is far above either the Heats of *Fancy*, which accompany the first State, or the Subtilty of Meditation, that belongs to the second State; and they say, that the Perfection of a Contemplative State above the others, appears in this, that whereas all Men are not capable of forming lively Imaginations, or of a fruitful Invention, yet every Man is capable of that Simplicity of Contemplation; which is nothing but the silent and humble Adoration of God, that arises out of a pure and quiet Mind. But because all this may appear a little intricate, I shall illustrate it by a Similitude, which will make the Difference of those three States more sensible: 1. A Man that sees the Exterior of another, with whom he has not the least Acquaintance, and is much taken with his Face, Shape, Quality, and Mien, and has a blind Prevention in his Favour, and a Sort of a feeble Kindness for him, may be compared to him whose Devotion consists in lively Imaginations, and tender Impressions on his lower and sensible Powers. 2. A Man that upon an Acquaintance with another, sees a great many Reasons to value and esteem both his Parts and his Virtues, yet in all this he feels no inward Charm that overcomes him, and knits his Soul to the other; so that how high soever the Esteem may be, yet it is cold and dry, and does not affect his Heart much, may be compared to one whose Devotion consists in many Acts, and much Meditation. But 3dly, when a Man enters into an entire Friendship with another, then one single Thought of his Friend, affects him more tenderly than all that Variety of Reflections, which may arise in his Mind, when this Union is not felt. And thus they explain the sublime State of Contemplation. And they reckon that all common Methods of Devotion, ought to be considered only as Steps, to raise Men up to this State: When Men rest and continue in them, they are but dead and lifeless Forms; and if they rise above them, they become Clogs and Hindrances, which amuse them with many dry Performances, in which those who are of a higher Dispensation will feel no Pleasure nor Advantage. Therefore the Use of the Rosary, the daily repeating the Breviary, together with the common Devotions to the Saints, are generally laid aside by those who rise to the Contemplative State; and the chief

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chief Business to which they apply themselves, is to keep their Minds in an inward Calm and Quiet, that so they may in Silence form simple Acts of Faith, and feel those inward Motions and Directions, which they believe follow all those who rise up to this Elevation. But because a Man may be much deceived in those Inspirations, therefore they recommend to all who enter into this Method, above all other Things, the Choice of a Spiritual Guide, who has a right Sense, and a true Taste of those Matters; and is by Consequence a competent Judge in them.

This is all that I will lay before you in General, for giving you some Taste of *Molinos's* Method; and by this you will both see for what his Followers are called *Quietists*, and why his Book is entitled *Il Guida Spirituale*.

Molinos having it seems drunk in the Principles of the Contemplative Devotion in *Spain*, where the great Veneration that is pay'd to St. *Teresa* gives it much Reputation, he brought over with him to *Italy* a great Zeal for propagating it. He came and settled at *Rome*, where he writ his Book, and entered into a great Commerce with the Men of the best Apprehensions, and the most elevated Thoughts that he found there. All that seemed to concur with him in his Design for setting on Foot this sublimer Way, were not perhaps animated with the same Principles. Some design'd sincerely to elevate the World above those poor and trifling Superstitions, that are so much in Vogue, among all the Bigots of the Church of *Rome*, but more particularly of *Spain* and *Italy*, and which are so much set on by almost all the Regulars, who seem to place Religion chiefly in the exact performing them. It was thought that others enter'd into the Design upon more indirect Motives. Some perhaps from the Aversion which they bore the Regulars, were disposed to entertain every Thing that might lead Mens Devotions into other Channels, and to a Conduct different from that prescribed by Friars and Jesuits. Some perhaps had Understandings good enough to see the Necessity of Correcting many Things in their Worship, which yet they durst not attack as simply unlawful: So that it might appear more safe to expose these Things to the Contempt of the World, by pretending to raise Men far above them: And thus they might have hoped to have introduced a Reformation of many Abuses without seeming to do it. In fine, some who seemed to enter into this Matter, were Men that aspired to Fame, and hoped by this Means to raise a Name to themselves, and to have a Party that should depend upon them; for in such great Numbers as seem'd to embark in this Design, it is not to be imagined that all were acted

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by the same Motives, and that every Man had as good Intentions as it is probable *Molinos* himself had.

In the Year 1675. his Book was first published with five Approbations before it. One of these was by the Archbishop of *Rheggio*; another was by the General of the *Franciscans*, who was likewise one of the Qualifiers of the Inquisition. Another was by Father *Martin de Esparza*, a Jesuit, that had been Divinity Professor both at *Salamanca* and at *Rome*, and was at that Time a Qualifier of the Inquisition. As for the rest, I refer you to the Book itself. The Book was no sooner printed, than it was much read and highly esteemed both in *Italy* and *Spain*. It was consider'd as a Book writ with much Clearness, and great Simplicity; and this so raised the Reputation of the Author, that his Acquaintance came to be generally much desired: Those who were in the greatest Credit in *Rome*, seem'd to value themselves upon his Friendship. Letters were writ to him from all Places; so that a Correspondence was settled between him, and those who approved of his Method in many different Places of *Europe*. Some secular Priests both at *Rome* and *Naples* declared themselves openly for it; and consulted him as a sort of an Oracle upon many Occasions. But those who joined themselves to him with the greatest Heartiness and Sincerity, were some of the Fathers of the *Oratory*; in particular three of the most eminent of them, who were all advanced at the last Promotion of Cardinals, *Colaredi*, *Ciceri*, but above all *Petrucchi*, who was accounted his *Timothy*. Many of the Cardinals were also observed to court his Acquaintance; and they thought it no small Honour to be reckon'd in the Number of *Molinos's* Friends. Such were *Cassanato*, *Azolini*, and *Carpegna*; but above all Cardinal *d'Estees*. The last you must needs know, is a Man of great Learning: He was ambitious to be thought a Reformer of some of those Abuses, which are among them, that are too gross to pass upon a Man of his Freedom of Spirit; who had been bred up in the *Sorbon*, and had conversed much with *Mr. de Launay*. He therefore seem'd the most zealous of all others to advance *Molinos's* Design; so that he entered into a very close Commerce with him. They were oft and long together: And notwithstanding all the Distrust that a *Spaniard* has naturally of a *Frenchman*, and that all Men have of one another, who have lived long at *Rome*, yet *Molinos*, who was sincere and plain-hearted, opened himself without Reserve to the Cardinal, and by this Means a Correspondence was settled between *Molinos* and some in *France*: For though the Spirits of those of that Nation go generally too quick for a Way of Devotion that was settled

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settled and silent, yet some were strongly inclin'd to favour it even there. Perhaps it might be considered as a Method more like to gain upon *Profligates*, and to facilitate the Design of the Re-union, that was so long talked of there. All these Things concurred to raise *Molinos's* Character, and to render his Person so considerable. When the Pope that now reigns was advanced to the Throne, in the Year 1676. he took most particular Notice of him; and made it visibly apparent, that even in all that Exaltation, he thought it might contribute to raise his Character, if he were considered as a Friend of *Molinos's*, and an Encourager of his Design: For he lodged him in an Apartment of the Palace, and put many singular Marks of his Esteem on him. This made him become still the more conspicuous, when he had the Advantage of Favour joined to his other Qualities; though he neither seemed to be fond of it, nor lifted up with it. His Conversation was much desired; and many Priests came not only to form themselves according to his Method, but to dispose all their Penitents to follow it: And it grew to be so much in Vogue in *Rome*, that all the Nuns, except those who had Jesuits to their Confessors, began to lay aside their Rosaries, and other Devotions, and to give themselves much to the Practice of Mental Prayer. This Way had more Credit given to it by the Translation of a *French* Book, that was writ upon the same Subject, which Cardinal *d'Estrees* ordered to be made. It was writ in the Form of a *Dialogue*, and was printed in *France* in the Year 1669. by the Approbation of some of the Doctors of the *Sorbon*. I am able to give you no other Account of the Author, but that in the *Italian* Translation he is called *Francis Mallevalla*, a blind Clergyman. The Book being chiefly formed upon the Model of St. *Teresa*, the Translation of it was dedicated to the discalciate, *i. e.* Bare-footed *Carmelites* of her Order. This did not contribute a little for raising the Credit of *Molinos's* Method, since it appeared to be very much approved both in *Italy*, *France*, and *Spain*. At the same Time Father *Petrucchi* writ a great many Letters and Treatises relating to a Contemplative State; yet he mixed in many of them so many Rules relating to the Devotions of the Quire, that there was less Occasion given for Censure in his Writings: They are a little too tedious; but they were writ chiefly for Nuns and others, that perhaps could not have apprehended his Meaning aright, if he had expressed himself in a closer Style in fewer Words. Both the Jesuits and the Dominicans began to be alarmed at the Progress of *Quietism*: They saw clearly, that their Trade was in a Decay, and must decay still more and more, if some Stop was not put to

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to the Progress of this new Method: In order to this, it was necessary to decry the Authors of it: and because of all the Imputations in the World Heresy is that which makes the greatest Impression at Rome, Molinos and his Followers were given out to be Hereticks. It being also necessary to fasten a particular Name on every new Heresy, they branded this with the Name of *Quietism*. Books were also writ by some Jesuits against Molinos and his Method: In which there appeared much of that Sourness and Malignity that is thought to be peculiar to the Society: they were also writ with their usual Candor and Sincerity. One of the Fathers Segueri took a more detestable Method to decry it. He began his Book magnifying the Contemplative State highly as superior to all others; and blaming those who had said any Thing that seemed to detract from it; yet he corrected all this, by saying, *That very few were capable of it; and that none ought to pretend to it, but those who were called by God to so sublime a State*. And by this he seemed only to censure the Indiscretion of those *Spiritual Guides*, who proposed this Way of Devotion to all Persons without Distinction. He also believed, that such as were at some Times called to it, could not remain long in so high a State, to which God called Men rather for some happy Minutes, than for a longer Continuance; therefore he thought that such Persons as were raised to it, ought not to fancy that they were now got so far above all their former Steps, as never to need them any more: so he proposed to them the accustoming themselves still to Meditation, and to support themselves by that when they could not contemplate. He censur'd severely some of Molinos's Expressions, such as that, *He who had God, had Christ*; as if this were an Abandoning of Christ's Humanity: He also insisted much on that of a *fund looking on God*, and the *suspending of all the Powers of the Soul*; but that on which he insisted most, was that Molinos (whom he never named, tho' he cited his Words, and described him very plainly) made the Quiet of Contemplation to be a State to which a Man could raise himself: Whereas he maintains, that in this Quiet the Soul is passive, and as it were in a Rapture; and that she could not raise herself to it, but that it was an immediate and extraordinary Favour, which was only to be expected from God, and which an humble Mind could not so much as ask of him.

These Disputes raised so much Noise in Rome, that the Inquisition took Notice of the whole Matter: Molinos and his Book, and Father Petrucci's Treatise and Letters, were brought under a second and severer Examination: and here the Jesuits were consider'd as the Accusers. It is

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true, one of the Society, as was formerly told, had approved the Book; but they took Care that he should be no more seen at Rome. For he was sent away, and it is not known whether it is generally believed that he is shut up within four Walls; but what Truth or Error may be in that he is no more visible, so careful were they to have all their Order speak the same Language; and if any speak in a different Style from the rest, they at least take Care that he shall speak no more; yet in this Examination that was made, both *Molina* and *Petrucchi* justified themselves so well, that their Books were again approved, and the Answers which the Jesuits had writ, were considered as foundations; and in this Matter *Petrucchi* behaved himself so singularly well, that it raised not only the Credit of the Cause, but his own Reputation so much, that soon after he was made Bishop of *Taffi*, which was a new Declaration that the Pope made in their Favour. Their Books were now more esteemed than ever, their Method was more followed, and the Novelty of it, the Opposition made to it, by a Society that has rendered itself odious to all the World, and the new Approbation that was given to it after so vigorous an Accusation, did all contribute to raise the Credit, and to increase the Numbers of the Party. Father *Petrucchi's* Behaviour in his Bishoprick, contributed to raise his Reputation still higher, so that his Enemies were willing to give him no more Disturbance; and indeed there was less Occasion given for Censure by his Writings, than by *Molina's* little Book; whose Successors made that some Passages were not so fully nor so cautiously expressed, but that there was room for making Exceptions to them. On the other Hand, *Petrucchi* was rather excessively tedious, so that he had so fully explained himself, that he very easily cleared some small Difficulties that were made upon some of his Letters. In short, every Body, that was thought either sincerely devout, or that at least affected the Reputation of it, came to be reckoned among the *Quietists*. And if these Persons were observed to become more strict in their Lives and mental Devotions, yet there appeared less Zeal in their whole Deportment as to the exterior Parts of the Religion of that Church. They were not so assiduous at Mass, nor so earnest to procure Masses to be said for their Friends, nor were they so frequently either at Confession or in Processions; So that the Trade of those that live by these Things was sensibly sunk; And though the new Approbation that was given to *Molina's* Book by the Inquisition stopp'd the Mouths of his Enemies, so that they could no more complain of it, yet they did not cease to chatter about Garbances of all that Sort of Men, as of a Cat, that would

have dangerous Consequences. They remember'd the Story of the illuminated Men of Spain, and said, here was a Spawn of the same Sect; they insinuated, that they had ill Designs, and profound Secrets among them; that these were in their Hearts Enemies to the Christian Religion; and that under a Pretence of raising Men to a most sublime Strain of Devotion, they intended to wear out of their Minds the Sense of the Death and Sacrifice of Christ, and of the other Mysteries of Christianity. And because *Molina* was by his Birth a *Spaniard*, it has been given out of late, that perhaps he was descended of a Jewish, or Mahometan Race, and that he might carry in his Blood, or in his first Education, some Seeds of those Religions which he has since cultivated with no less Ardent Zeal; yet this last Calumny has gained but little Credit at *Rome*; tho' it is said, that an Order has been sent to examine the Registers of the Baptism in the Place of his Birth, to see if his Name is to be found in it or not.

Thus he saw himself attacked with great Vigour, and with an unrelenting Malice. He took as much care as was possible to prevent, or to shake off these Imputations; for he writ a Treatise of *frequent and daily Communion*, which was likewise approv'd by some of the most learned of the Regulars at *Rome*. This was printed with his *Spiritual Guide*, in the Year 1675, and in the Preface he protests, that he had not writ it with any Design to engage himself in Matters of Controversy, but that it was drawn from him, by the most earnest Solicitations of some zealous Persons. In it he presses a Daily Communion, by a vast Number of Passages that he cited both out of the ancient Fathers and the Schoolmen; yet he qualified this, and all his other Directions in the Matters of Devotion by that which he constantly repeats, which is the Necessary of being conducted in all Things by a *Spiritual Guide*; whether he intended to soften the Aversion that the Jesuits had to him, by refusing some Parts of Mr. *Arnaud's* famous Book of *Frequent Communion*, or not, I cannot tell, but in this Discourse he answers some of the Objections that Mr. *Arnaud* had made to *Frequent Communion*, and in particular, to that which he makes one main Ground of restraining Men from it, which was the obliging them to go through with their Penitence and Mortifications, before they were admitted to the Sacrament; whereas *Molina* makes the being free of Mortal Sin, the only necessary Qualification. In this Discourse, one sees more of a heated Eloquence, than of severe or solid Reasoning; yet it presses the Point of *daily Communion*, and of an *inward Application of Soul to Jesus Christ, and to his Death*, so vehemently

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mentally, that it might have been hoped that this should have put an end to those Surmises, that had been thrown out to defame him, as if he had designed to lay aside the Humanity of our Saviour, by his way of *Detachment*; but there is no Care for Jealousy, especially when Malice and Interest are at bottom. So new Matter was found for Censure in this Discourse. He had asserted, that there was no other Preparation necessary, but to be free of *Mortal Sin*: So it was given out, that he intended to lay aside *Confession*: and though he had advised the Use of a *Spiritual Guide*, in this, as well as in all other Things, yet the Necessity of *Confession* before *Communion*, was not expressed: So that by this People seemed to be let at Liberty from that Obligation: And it was said, that what he advised with Relation to a *Spiritual Guide*, look'd rather like the taking some general Directions and Council from one's Priest, than the coming always to him as the Minister of the Sacrament of Penance before every Communion; and to support this Imputation, it was said, that all of that Cabal had set down this for a Rule, by which they conducted their Penitents, that they might come to the Sacrament when they found themselves out of the State of mortal Sin, without going at every Time to Confession; but I will not enlarge further upon the Matters of Doctrine or Devotion. It is believed that the Jesuits at Rome proposed the Matter of *Molinos* to Father *De Obasse*, as a fit Reproach to be made to the Pope, in that King's Name, that while he himself was employing all possible Means to extirpate Heresy out of his Dominions, the Pope was cherishing it in his own Palace; and that while the Pope pretended to such an unyielding Zeal for the Rights of the Church, he was entertaining a Person who was corrupting the Doctrine, or at least the Devotion, of that Body of which he had the Honour to be the Head. It is said at Rome, that Cardinal *D'Ezz* being commanded, by the Orders that were sent him from the Court of France, to prosecute *Molinos* with all possible Vigour, resolved to sacrifice his old Friend, and all that is sacred in Friendship, to the Passion he has for his Master's Glory. Finding then that there was not Matter enough for an Accusation against *Molinos*, he resolved to supply that Defect himself; so that he, who was once as deep as any Man alive in the whole Secret of this Affair, went and informed the Inquisition of many Particulars; for which tho' there was no other Evidence but his Testimony, yet that was sufficient to raise a great Storm against *Molinos*; and upon this Delation, he and a few others of his Friends were put in the Inquisition; but this was managed so secretly, that all that

is pretended to be known concerning it, is, that upon a new Prosecution both *Molinos* and *Petrucchi* were brought before the Inquisition in 1684. *Petrucchi* was soon absolved; for there was found objected to him, and he answered that with so much Judgment and Temper, that he was quickly dismissed; and tho' *Molinos's* Matter was longer in Agitation, yet it was generally expected that he should have been acquitted. In Conclusion, a Correspondence held by him all Europe over was objected to him; but that could be no Crime, unless the Matter of that Correspondence was Criminal: Some suspicious Papers were found in his Chamber; but as he himself explained them, nothing could be made out of them, till Cardinal *Efter* delivered a Letter and a Message from the King of France to the Pope, as was formerly mentioned; and that the Cardinal added, that he himself could prove against *Molinos*, more than was necessary to shew that he was guilty of Heresy. The Pope said not a Word to this, but left the Matter to the Inquisitors; and the Cardinal went to them, and gave other Senles of these doubtful Passages; that were in *Molinos's* Books and Papers, and pretended that he knew from himself what his true Meaning in them was. The Cardinal owned that he had lived with him in the Appearances of Friendship, but he said he had early smelt out an ill Design in all that Master; that he saw of what dangerous Consequence it was like to be; but yet, that he might fully discover what was at the Bottom of it, he confessed he seemed to assent to several Things which he desisted; and that by this Means he saw into their Secret, and knew all the Steps they made; he still cautiously observing all that past among them, till it should be necessary for him to discover and crush this Cabal. I need not tell you how severely this is censured; by those who believe it. I would rather hope that it is not true, how positively however it may be affirmed at Rome; but though it is hard to reconcile such a Way of proceeding with the common Rules of human Society and of Virtue, yet at Rome a Zeal for the Faith, and against Heresy, supercedes all the Bonds of Morality or Humanity, which bind only the common Virtues of Heathens. In short, what Truth soever may be in this Particular relating to the Cardinal, it is certain that *Molinos* was caught up by the Inquisition in May 1685, and soon after was put to all Discourses relating to him: And in this Silence the Business of the Quietists was laid to sleep till the ninth of February 1687, that of a sudden it broke out again in a much more surprising Manner.

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The Count *Vespiniani* and his Lady, *Don Paulo Rocchi*, Confessor to the Prince *Borghese*, and some of his Family, with several others, in all seventy Persons, were clapt up: Among whom many were highly esteemed both for their Learning and Piety. The Things laid to the Charge of the Churchmen, were their neglecting to say their Breviary; and for the rest, they were accused for their going to Communion without going at every Time first to Confession: And in a Word, it was said, that they neglected all the exterior Parts of their Religion, and gave themselves up wholly to Solitude and inward Prayer. The Countess *Vespiniani* made a great Noise of this Matter; for she said, she had never revealed her Method of Devotion to any Mortal but to her Confessor, and so it was not possible that it could come to their Knowledge any other way but by his betraying that Secret: and she said, it was Time for People to give over going to Confession, if Priests made this use of it, to discover those who trusted their secretest Thoughts to them; and therefore she said, that she would make her Confessions only to God. This had got vent, and I heard it generally talked up and down *Rome*; so the Inquisitors thought it more fitting to dismiss her and her Husband, than to give any Occasion to lessen the Credit of Confession; they were therefore let out of Prison, but they were bound to appear whenever they should be called upon. I cannot express to you the Consternation that appeared both in *Rome* and in many other Parts of *Italy*; when in a Month's Time about two hundred Persons were put in the Inquisition; and that all on a sudden a Method of Devotion that had passed up and down *Italy* for the highest Elevation to which Mortals could aspire, was found to be Heretical, and that the chief Promoters of it were shut up in Prison, *word not in* *ben*. But the most surprizing Part of the whole Story, was, that the Pope himself came to be suspected as a Favourer of this new Heresy; so that on the thirteenth of *February* some were deputed by the Court of the Inquisition to examine him, not in the Quality of Christ's Vicar, or *St. Peter's* Successor, but in the single Quality of *Benedict Odescalchi*: What passed in that Audience, was too great a Secret for me to be able to penetrate into it; but upon this there were many and strange Discourses up and down *Rome*: And while we Hereticks were upon that asking, where was the Pope's Infallibility? I remember a very pretty Answer that was made me. They said, the Pope's Infallibility did not flow from any thing that was Personal in him, but from the Care that Christ had of his Church: For a Pope, said one, may be a Heretick

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as he is a private Man; but Christ, who said to St. Peter, *feed my Sheep*, will certainly so order Matters that the Pope shall never decree Heresy, and by Consequence shall never give the Flock Poison instead of the Bread of Life; while the Pope's Heresy was only a personal Thing, it could have no other Effect but to damn himself; but if he decreed Heresy, this corrupted the whole Church; and since Christ had committed all the Flock to the Popes Care, it ought to be believed that he would never suffer them to pronounce *Heresy ex Cathedra*, as they call it. This had some Colour in it that was plausible; but the Shift of which another scivell himself seemed intolerable. He said that the Pope could never decree Heresy, for which he assigned thus: He must be a Heretick before he can decree it; and upon that he gave me many Authorities to prove, that in the Minute that the Pope became an Heretick, he fell *ipso facto* from his Dignity, and therefore he said, the Pope could not decree Heresy, for he must have fallen from his Chair, and have forfeited his Authority, before he could possibly do it; so that he was no more Pope. This look'd so like a Juggle of the Schools, that I confess it made no great Impression on me. I imagine what a Thing it would be, to see a King accused of Treason by one of his own Courts, and then you have fancied somewhat that comes near this Attempt of the Inquisition, which being a Court authorized by the Pope, yet I had the Boldness to examine himself; and it had certainly been an odd Piece of News, if upon the Pope's Answer, the Inquisition had stained him with the Imputation of Heresy, and had lodged him in the *Minuto*. Upon the Discourse to which this gave Occasion, I have heard the Authority of the Court of Inquisition magnified to so extravagant a Degree, that some have asserted, it was in some Respects superior even to the Pope himself. Two Days after that, the Inquisition sent a circular Letter to Cardinal Cibo, as the chief Minister, to be sent by him all about *Italy* (of which I send you a Copy in *Italian*) for tho' it ought to have been writ in *Latin*, yet I do not know how it came to be writ in *Italian*; for the writing it in the Vulgar Language, was censured not only as an indecent Thing, but as that which made the Matter more publick. It was addressed to all Prelates, Bishops, and such, that whereas many Schools and Fraternities were formed in several Parts of *Italy*, in which some Persons, under a Pretence of leading People into the Ways of the Spirit, and to the Prayer of Quietness, they infused into them many abominable Heresies; therefore a strict Charge was given to dissolve all these Societies, and to oblige all the spiritual Guides to walk in the known Paths; and in particular to take care that none of that sort should

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should be suffered to have the Direction of the Nunneries. Order was likewise given to proceed in the Way of Justice against those who should be found guilty of these abominable Errors. After this a brief Enquiry was made into all the Nunneries of Rome, for most of their Directors and Confessors were found to be engaged in this new Method. It was found that the Carmelites, the Nuns of the *Conception*, of the *Palafina*, and *Alban*, were wholly given up to Prayer and Contemplation, and that instead of their Beads, and their Hours, and the other Devotions to Saints, or Images, they were much alone, and often in the Exercise of Mental Prayer, and when they were asked, why they had laid aside the Use of their Beads, and their ancient Forms, their Answer was, that their Directors had advised them to wear themselves from these Things, as being but rude Beginnings, and Hindrances to their further Progress; they justified also their Practice from those Books that had been lately published by the Approbation of the Inquisitors themselves, such as *Molin*'s and *Potter*'s Books. When Report was made of this Matter to the Inquisition, they sent Orders to take out of the Nuns Hands all those Books, and such Forms of Devotion as were written in that Strain, and they required them to return again to the Use of their Beads, and their other abandoned Forms, which was no small Mortification to them. The Circular Letter produced no great Effects; for most of the Italian Bishops were either extremely unconcerned in all those Matters, or were inclined to *Molin*'s Method. And whereas it was intended that this, as well as all the other Orders that come from the Inquisition, should be kept secret, yet it got abroad, and Copies of it were in all Peoples Hands; so that this gave the *Romans* the more Occasion to discourse of these Matters, which troubled the Inquisitors extremely, who love not to have the World look into their Proceedings, nor to dissent upon them; they blamed Cardinal *Cibo*, as if this Matter was grown so publick by his Means; but he on the other Hand blamed the Inquisitors for it, and his Secretary blamed both. It was also said, that the Pope was not pleased with Cardinal *Cibo*'s Conduct, and that he thought he had suffered this Matter to go too far, without giving a Check to the Inquisitors, when it might have been more easily done; whereas Matters are now gone to that Height, that many think they cannot end without some very great Scandal. For the Quality of the Prisoners is considerable; some of Cardinal *Petrarca*'s Domesticke, and both his Secretary and his Nephew were of the Number, and that the Cardinal himself came to Rome soon after, yet he was there for some time *incognito*. It is generally believed, that

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that both he, and the Cardinal *Caraffa*, and Cardinal *Ciceri*, who is Bishop of *Como*, are in great Apprehensions of a Storm from the Inquisition; and the Ceremony of giving them their Hats being so long delayed, was generally ascribed to some Complaints that it seems the Inquisitors made; yet in Conclusion they appeared in publick, and had their Hats given them. The Duke of *Ceri*, *Don Livio*, that is the Pope's Nephew, is believed to be deeply engaged in the Matter; for the Count *Vespiniani*, who was first seized on, is his particular Friend and Favourite, and is a sort of a Domestick of his: *Don Livio* himself is likewise a Person of a melancholy Temper, that is much retired, and this at present is enough to make a Man pass there for a *Quietist*; he went from *Rome* to a House he had not far from *Civitavecchia*, to avoid, as was thought, the falling into the Hands of the Inquisitors. The Pope writ often for him before he could prevail with him to return; and it is said that he did not think himself secure even after all the Assurances that the Pope gave him, that no Harm should come to him; for it might be justly enough apprehended, that the Inquisitors, who had been so hardy as to examine the Pope, would make no Ceremony with his Nephew, if they found Matter against him.

But among all that were clapt up, Father *Appiani* was the Man that surpris'd the *Romans* the most; he was seized on the first Sunday of *April*; he was esteemed the most learned and eminent *Jesuit* that was in the whole *Roman* College. This did not a little mortify the Society; one of their Fathers had approved of *Molinos's* Book, and now another was found to be engaged in this Matter: Upon which a Priest, that was indeed no Friend to their Order, said to me, that this was their true Genius, to have Men among them of all Sides, that so which Side soever prevailed, they might have some among them that should have a considerable Share in the Honour of the Victorious; and thus if *Molinos's* Method had been established, then they would have gloried as much in *Esparza* and *Appiani*, as they are now ashamed of them. It is likely that they had not discovered *Appiani's* favouring the Party, otherwise no Doubt they had been before-hand with the Inquisition, and had shut him up as they did *Esparza*, and so have covered themselves from the Reproach of having a Man that favoured Heresy among them. The Prisons of the Holy Office were full, and the Terror of this Matter had struck so many, that no Body could guess when or where it should stop. It is said, that the Inquisitors have found in some of their Examinations, that they have to do with Men more learned than themselves, and that their

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Prisoners are steady and resolute. It is also said, that their Friends abroad have expressed a great Concern for them, and for the Cause of their Sufferings, and that many Letters have been writ to the Inquisitors, wishing to consider well what they do to their Prisoners; and assuring them, that they will maintain their Interests, and that they are ready to seal them with their Blood. It is certain, the Pope and Cardinal *Cibo* are much troubled to see that this Matter is gone so far, and is now so much talk'd of. Cardinal *Petrucci* is still much in the Pope's Favour, and was suffered not long ago to go visit *Molinos*, with whom he had a long Conversation all alone; but the Subject and the Effects of it are not known; yet a severe Sentence is expected against *Molinos*. Those that speak the mildest, think he will be a Prisoner for Life; but a little Time will shew more than I can presume to tell you. It is a terrible Thing to have the whole Body of the Regulars against one, who, according to the Estimate that is made at *Rome*, are about Five hundred thousand Persons, and of that Number it is said the Jesuits make Forty Thousand. In the City of *Naples* alone it is believed the Regulars and other Ecclesiasticks amount to Twenty five thousand, so it is very likely, that when such Bodies, and *Molinos* are in the Balance, *Caiaphas's* Resolution may once more take place: *It is expedient that one Man should die, rather than that those Nations of Regulars should perish, or their Trade and Profits be lessened.* But to come to an End, the Inquisitors have prepared the World for any Judgments that they may pass in this Matter, by ordering one of their Number to draw up a Censure of nineteen Articles, which he pretends to have collected out of the Writings and Doctrines of the Quietists; and thus by representing them so odiously, they have as much as in them lies, prevented those Compassions which may perhaps be kindled by the Sufferings of those whom they may condemn as guilty of those censured Opinions.

Now this great Affair, upon which Men have so long look'd with so much Expectation, is at an End; and a Party that was believed to be a Million strong, is now either quite extinguished, or at least oppressed with a great deal of Infamy. And Mr. *Molinos*, who has lived above twenty Years in this City, in the highest Reputation possible, is now as much hated as ever he was admired; he is not only considered as a condemned and an abjured Heretick, but he is said to have been convicted of much Hypocrisy, and of a very lewd Course of Life; which is so firmly believed by the *Romans*, that he was treated by them on the Day of his Abjuration, with all possible Indignities; but the People as they

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shewed their Affections to him, by the Cries of Fire, Fire, so were ready to have sacrificed him to their Rage, if he had not been well defended by the *Shiri* and Guards that were about him. And it would be a Crime enough at present, to recommend a Man to the Care of the Inquisitors, if he should seem to doubt either of his Heresy, or of the Scandals of his Life. All the Party is extremely sunk: Cardinal *Petrucchi* himself lives in *Rome* as if he were in a Desert, for no Body goes to visit him, and he stirs as little abroad; nor is it thought that he will escape: There are four sent by the Inquisition to his Diocese of *Iessi* to examine his Behaviour there: There is, also, a Discourse, that has lately appeared at *Rome*, that was secretly printed, of which he is suspected to be the Author, which is an Apology for Quietism, that gives great Offence. It is said, that the Inquisitors had full Proofs against *Molinos*, by fourteen Witnesses, of whom eight indeed came and offered their Depositions of their own Accord, and the other six were forced to declare the Truth, which raises the Credit of their Testimony: Since his Abjuration, it is said that many of his Followers have abjured in private; and that besides the Prisoners that are in their Hands, great Numbers come in every Day to accuse themselves, and to offer themselves to Penance; these are all very gently dismissed by the Inquisitors, who are now as much censured by the *Romans* for their excessive mildness, as ever they have been blamed by others for their Rigour: And those secret Abjurations are believed to be all the Severity that they will practise on this Occasion; for it is said, that even *F. Appiani* the Jesuit, will be abjured in private, though some say he is mad, others that he is become deaf and dumb, and not a few believe that he is dead; so uncertain are all Reports at present. In a Word, the Hatred of the present Pontificate appears very visibly upon this Occasion: The People affecting to shew a very extraordinary Rage against a Person, and a Party, that has been so much favoured and supported by the Pope; so that this Matter comes clearly home to him, and wounds his Reputation extremely: All this raises the Credit of the Jesuits, who value themselves upon the Zeal and the Conduct of their Society upon this Occasion. All the Pope's Enemies, the Jesuits, the *French* Party, and the Body of the People, that are Male-contented and weary of him, and his long and dull Reign, shew the Pleasure they have in aggravating this Matter against him; they say, this is the first Time that every any Heresy made *Rome* its Seat, where it chose to nestle itself; but it is yet more strange that it should have continued there above

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twenty Years, notwithstanding all that Multitude of Spies that the Inquisition has every where; that the Pope should have shut his Ears against all Complaints, so that this Doctrine had gained so great Authority, that those who attack it, passed for Hereticks, or Calumniators at least; and that even after all the Discoveries that have been made, that the Pope was known to favour *Molinos* secretly, and was so hardly brought at last to consent to the Condemnation, in which it is said, that nothing prevailed on him, till the Cardinals informed him of the Scandals of *Molinos's* Life that were proved: This was indeed a Matter that could fall within the Pope's Understanding; for the Points of Doctrine are believed to be above it. All these Things concur to increase the Contempt under which the present Pontificate lies; yet as for those Scandals of *Molinos's* Life, I do not know what to believe; many will not believe them, and think they are only Impostures given out to render him odious; for if they had been true, and well proved, it is said that the Censure would have been severer, for a perpetual Imprisonment, and the saying his Credo, and the fourth Part of the Rosary every Day, are mild Punishments, if he is found to have been so flagitious a Man, and so vile a Hypocrite as is given out. His own Behaviour at the *Minerva* did not look, either like a Man that was much confounded with the Discoveries that had been made, or that was very penitent for them, or for his Heresy; so that the Mildness of the Censure, to a Man that shewed so little Humility or Repentance, seems to flow rather from the Defectiveness of their Proofs, than from the Gentleness of the Tribunal. I confess, I was not a Witness to what passed in the *Minerva*; for as I would not venture in the Crowd, so both Money and Favour were necessary to accommodate a Man well on that Occasion, where not only a general Curiosity brought a vast Confluence of People together, to see the Issue of a Business that has been so long in Suspence, but a particular Devotion; for the Pope had granted a general Indulgence to all that should assist in that Solemnity: But I will give you the Account as I had it from Eye-witnesses. *Molinos* was well dressed, new trimmed, in his Priestly Habit, with a cheerful Countenance; that, as was said by his Enemies, had all the Charms on it that were necessary to recommend him to the fair Sex. He was brought from Prison in an open Coach, one Dominican being with him in it. He was at first placed for some Time in one of the Corridors of the *Minerva*: He look'd about him very freely, and returned all the Salutes that were made him; and all that he was heard to say was, *That they kill a Man*

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that was defamed, but that was Penitent (*Infamato ma Pentito*). After that he was carried to Dinner, where he was well treated, that being to be his last good Dinner. After Dinner he was brought into the Church, as in a Triumph, carried on the Shoulders of the *Sbiri* in an open Chair. When he was brought to his Place, as he made his Reverence very devoutly to the Cardinals, so there was no Shew of Fear or Shame in his whole Deportment. He was chained, and a Wax-Light was put in his Hand, while two strong-lung'd Friars read his Process aloud, and Care had been taken, to lay Matters so, that as some of the Articles were read, all should cry, Fire, Fire. When he came back to Prison, he entered into his little Cell, with great Tranquillity, calling it his Cabinet, and took leave of his Priest in these Words: *Adieu Father, we shall meet again at the Day of Judgment, and then it will appear on which Side the Truth is, whether on my Side or on yours.* So he was shut up for Life. Yet after all, I find none of the wise Men here think the Thing is at an End, but that the Fire which seems to be now extinguished, will break out with more Violence; for one of his Followers had the Boldness to tell the Inquisitors to their Faces, that they were a Company of unjust, cruel, and heretical Men; and compared their Treatment with that which Christ had met with, and yet even he has escaped upon an Abjuration, as is pretended. The Reasons that are given for this extraordinary Gentleness of the Inquisitors, who are seldom accused for erring on this Side, are both the Numbers of the Party, who might be much irritated by publick Examples, and also the great Credit that their Doctrine has from the Mystical Divinity, that is authorised by so many Canonisations; for it is said, that from several Parts the Inquisitors have brought together above Twenty thousand of *Molinos's* Letters.

In short, after a long Imprisonment, this good and excellent Man died in the Hands of the Inquisition.

RELATION X.

The Trial and Sufferings of Mr. Isaac Martin.

IN the Beginning of Lent, in the Year 1714, I arrived at Malaga with my Wife and four Children, landing my Goods at the Custom-House:

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from-house to be searched, a large Bible, and other Books of Devotion that I had, were found and seiz'd. I ask'd what was the Reason, and was told, that they must be examined, to see if there was nothing written against the holy Faith of the Church of Rome: Knowing that there were no Books of Controversy, I thought I should have them again. I went several Times to the Clergy to get them, and asked Advice of the Council, and other Gentlemen, how I should do to get them: They telling me it was in vain to trouble myself, for I should never get them, I gave over going to the Clergy, and lost my Books.

I had not been above two or three Months at *Malaga*, but I was accused, in the Bishop's Court, of being a Jew, and that my Name was *Isaac*, and one of my Children *Abraham*. I, hearing of it, acquainted the Council, who bid me not to mind it; that the *Irish* Papists had given that Information, and bid me keep no Correspondence with them, for they were a scandalous sort of People. The Clergy made Inquiry of the Neighbours, and sent for some that knew me, to know what they knew of me, whether I was a Jew or a Heretick. They all said, that they thought I was a Heretick, that I had lived in *Spain* and *Portugal* before now, and knew that the Jews were not permitted to live there upon Pain of being burnt, if they don't turn *Roman Catholics*. I soon found that I had Enemies, but did not much regard them, for I thought it was not in their Power to do me any Harm; and that it was nothing but Envy that made them speak against me.

During four Years that I was at *Malaga*, I and my Family were very much tormented by the Clergy and others, persuading us to change our Religion, and especially by an *Irish* Priest, who makes it his Business to go from House to House to gain Converts, as he calls them. Finding that I could not rest, I resolv'd to dispose of what I had, and to retire to *England*, where I might serve God, in the Exercise of my Religion, in Peace and Quietness, without being tormented to change it. I had no sooner given out that I would dispose of what I had and retire, but there was a great Noise that I was to be taken up by the Inquisition, which I could not believe; but in some few Days after, I found, to my Sorrow, that it was true.

About nine o'Clock at Night, being a late Hour in those Countries, People knocking at my Door, I ask'd them what they would have? They said, they wanted to come in. I desir'd them to come the next Morning, for I did not open my Doors at such an Hour. They answered, they would

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would break them open, which accordingly they did, being about fifteen Priests, Familiars, a Commissioner, and others belonging to the Inquisition, in Arms. I ask'd them what they wanted? they told me, they wanted the Master of the House; to which I replied, I am the Man, what do you want with me? who are you all? They answer'd, we belong to the Inquisition, take your Cloak, and come along with us. I was surprized at this, and said, pray, Gentlemen, stay a little, that I may give Notice to my Consul, for I am an *Englishman*, and the Inquisition has nothing to do with me. But they answered, your Consul has nothing to do in this Case; come let us see if you have no Arms about you. Where are your Beads? I said, I am an *English* Protestant; we carry no private Arms, nor make use of Beads. When they had search'd me, and taken my Watch, Money, and other Things that I had in my Pockets, they carried me to the Bishop's Prison, and put me in a Dungeon, with a Pair of Fetters on; forbidding the Prisoners, upon Pain of Excommunication, to have any Conversation with me, for I was a Heretick, and a very dangerous Man against the Holy Faith.

My Wife and Children fell a crying, to see so many Men in Arms carrying me away. But she was forc'd to go and cry in the Neighbourhood; for they turn'd her and her Children out of Doors, and kept the House to themselves five Days, till they had taken every Thing away; and then they return'd her the Key to go into her House again, where she found nothing but the bare Walls.

Four Days after I had been in the Dungeon, my Fetters were taken off, and I was examined by the Commissioner of the Inquisition, who had taken me up. He asked me, whether I had any Effects besides what was found in my House, and whether any Body gow'd me any Money, which he bid me tell him, and said I must go to the Inquisition at *Granada*. I begg'd of him, to let me be examined at *Malaga*, and to tell me what I was taken up for; he told me I should hear that at *Granada*. Then I desired him for God's Sake, to let me see my Wife and Children before I went; but he told me it could not be done. The next Morning, having two Pair of Fetters on, I was mounted upon a Mule, and so led out of Town, the People crying out after me, Go to *Granada* to be burnt, you are a Jew, you are an *English* Heretick, huzzing and making Scoff at me. Thus was I conducted out of *Malaga*, without having the Liberty to see my Family, or any Room to believe that I should ever see them any more.

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The Mule that I was upon was loaded, and my Fetters being very troublesome to me, and hurting the Mule's Neck, she threw me, and pitching upon a Point of a Rock, I almost broke my Back, insomuch that I could not get up again without Help. That Day we came to a Place call'd *Velex-Malaga*, where I had the good Fortune to meet with an *English* Merchant, a very worthy Gentleman, and a good Friend of mine, who was very sorry to see me in this dismal Condition. He sent for a Surgeon to dress my Back, which was very much bruised, and told me that he would do me any Service that he could. I told him what had happen'd to me, and as he lived at *Malaga*, desir'd him to assist my Family, and to charge my Wife from me, not to change her Religion; but to take care of the Children, and if she found that I was a lost Man, to retire to *England*. I desir'd him to present my Service to all the Protestants that were at *Malaga*, and to desire the Consul to write to *Madrid* to our Envoy, that he might know what had happen'd to me, and might demand me at the Court of *Madrid*, as being an *English* Protestant, over whom the Inquisition had no Power. My Friend told me that he would do what I desir'd of him, and that he believ'd they had given out that I was a *Jew*, only for a Pretence to take me up, in order to make me change my Religion.

I asked the Carrier, that had me in Custody, whether we could not get a Coach or Chaise to go to *Granada*, for my Back pain'd me very much upon the Mule: But he told me, that a Horse could hardly go that Road; that he was sorry for my Pain; but, dead or alive, I must go to *Granada* with him, and be there at such a Time; for so were his Orders, and he must obey them. The next Morning, Mules being ready, my Friend gave me some Money and some Provisions for the Road. I told him that he was the last Man of a Protestant that, may be, I should ever see; for I did not know what would become of me; that I was going into the Hands of the Enemies of the Protestant Faith; but hop'd that God would give me Strength to stand to my Religion, and was resolv'd so to do, let what will happen. Then, embracing one another with Tears in our Eyes, we parted.

It is seventy two Miles from *Malaga* to *Granada*. We were three Days on our Journey, and I suffered very much from the Fall I had received: But the Trouble of Mind that I was in was greater; for I was like one that does not know whether he shall live or die, till he has received his Sentence.

When

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When I arrived at *Granada*, the Carrier made me stay at an Inn till such Times as it was almost dark: for they put no Body in the Inquisition by Day-Light. He asked me, if I would not write to my Wife, which I did: But could perceive, by his Discourse, that the Letter was to go to the Inquisition, and my Wife never received it. When Night came, I was carried to the Holy Office of the Inquisition, as they call it. The first Thing the Goal-Keeper did, was to take off my Fetters, which eased me very much. Then I was led up one Pair of Stairs along some Galleries, where coming to a Door, the Goal-Keeper opened it, and then opened a grated Door, and led me into a Dungeon, I and remained with me till such Times as the under Goal-Keeper fetched a Lamp, and the Things that the Carrier had brought, which were an old Bed, a few old cast-off Clothes, and a Box full of Books. I desired the Goal-Keeper to let me have some of them to read; but he mailed the Box up, and told me, that they must go to the Lords of the Holy Office, and that there were no Books allowed there. I was very sorry to see them, for there happened to be two which were Books of Controversy.

After the Goal-Keeper had searched me, and took the Money that my Friend had given me, he took a Pen and Ink, and writ down what the Carrier brought, and ask'd me what the Buttons of my *Rogue-laur* were of, and the Buttons of my Coat. I told him some were Gold, and some were Silver. He bid me count them exactly, both great ones and small ones, took my Rings off my Fingers, and an exact Account of every Rag that I had, and writ them all down, as if I was making my Will; then told me that I was in a holy Place, and that there was nothing lost there, that I should have them all again when I went out. After that he asked me if I had no private Arms, nor no Money hid about me? telling me that I must declare it upon pain of two hundred Lashes, if I did not; to which I answered, I was an *Englishman*, and that we never carried private Arms about us. Then he asked me, what Religion I was of? I told him I was a Protestant. What! then you are no Christian, said he. Yes, I am, though you don't reckon me so, said I. But he answer'd, You are not right Christians, you are Heretics; and after having asked my Name, and several frivolous Questions, to which I answered, he began thus.

You must observe a great Silence here, as if you were dead: you must not speak, nor whistle, nor sing, nor make any Noise, that can be heard; and if you hear any Body cry, or make a Noise, you must

be sent, and lay nothing upon him, but of two hundred Lashes. I told him, I could not be always upon the Bed, and ask'd, Whether I might not have the Liberty to walk? He told me I might, but softly. Then he ask'd me, if I would have any Thing to eat or drink? I desir'd him to give me a little Wine, which he did, with some Bread, and half a Dozen Walnuts; Bidding me make my Bed, and put out my Lamp, and he would call upon me in the Morning, then bolting the Door, he left me to myself in a dismal Apartment, and full of Sorrow.

After I had pray'd to God, to give me Patience in my Troubles, and to deliver me from the cruel Hands into which I was fallen, I went to Bed, but had little Rest that Night; for I found it very cold; the Floor being brick'd, and the Walls between two and three Feet thick; so that though I was up one Pair of Stairs, I was as if I had been in a Cellar, it being frosty Weather at that Time. Night being over, I perceived the Day-Light through a Hole, about a Foot long, and five Inches broad. But the Walls being so thick, there was but little Light came in. The Hole was just by the Ceiling; so that I could see nothing but the sky. A little while after came the Goal-Keeper, to light my Lamp; he opened the close Door, and through the grated one lighted it, and bid me dress myself, for I must go for some Provisions, and must light my Fire, and dress my Dinner. Sometime after, he came and took me down Stairs with him to a Turn, such as they have in Convents, where a Man at the other Side, whom you can't see, turns in your Allowance. They gave me half a Pound of Mutton, (their Pounds are but sixteen Ounces, and at Malaga they are thirty two) about two Pound of Bread, some Kidney-Beans, some Raisins, and about a Pint of Wine, and two Pound of Charcoal. I had a little earthen Stove to light my Fire in, a Popkin to boil my Victuals, some earthen Plates, and Pitchers to hold Water; a Bason to ease myself; a Broom to sweep my Dungeon; three Baskets, one for Bread, Meat, and Greens, another for Charcoal, and the other to sweep my Dirt in; and a wooden Spoon. But I had no Knife nor Fork, no Table, and nothing to sit upon, but some Boards that were fastened in the Wall, upon which my Bed was placed. The Goal-Keeper shew'd me how I must manage my Allowance; he parted my Meat in three Parts, and told me it must serve me three Days, and then I should have more. Then he shew'd me how to light my Fire, and told me that I must be ingenious, and learn to dress my Victuals nice, and to make

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the Meat savoury. I thank'd him very kindly for shewing me, and away he went. I thought it very hard to be reduced to such short Allowance, having before liv'd in Plenty. I dress'd the third Part of my Meat, with some Kidney Beans, as well as I could; and though I was in great Pain from the Fall I had received, I eat my Meat, and could have eaten more if I had it. In the Afternoon the Goat-keeper came to see me: I told him I had a great Pain in my Back. He told me I should have a Doctor; which I had the next Morning; who order'd me to be blood-ed; which was done accordingly. He gave me some Oil to anoint my Back, but I could not anoint it myself; so that I made no Use of it but to burn. The Doctor was two or three Times with me, but I kept my Bed three or four Days; during which Time they brought me my Victuals, ready dress'd. But it was three Months before the Pain of my Back was quite gone.

That Day Se'might that I was put into the Inquisition, the Goat-keeper bid me get myself clean, for I must go to Audience: I, not knowing what he meant, desired him to repeat what he had said; and so he did. The Word Audience surpris'd me. I ask'd him whom I must go before? He replied, You must go before the Lords of the Holy Tribunal, to be examined. I told him I was very well, and desired him to send for a Barber to shave me. But he answered, There were no Barbers allowed but three Times a Year. I went along with him, and he would hardly allow me to take my Perriwig on my Head. Coming into a Room, I found two Men, one sitting between two Crucifixes, and the other at his Left-hand, with a Pen, Ink and Paper before him. He was the Secretary, and a young Man. My Lord was an old Man, of about sixty Years of Age, look'd like a clean Jesuit, and was the Chief of the three Lords Inquisitors. He bid me sit down upon a little Stool that was there on Purpose, which fronted him; so that there was a Table between him and me, and a Crucifix in the Middle of it, that fronted me. And thus he began to speak to me with a great deal of Gravity. Inquisitor, What was you brought here for? How came you here?

Can you speak Spanish? Martin, My Lord, I don't know what I was brought here for. I can speak Spanish, but not so well as English or French. If you please to send for an Irish or a French Priest, I should be glad, for I am afraid that I have not Spanish enough to answer your Lordship in some Things that you may demand of me.

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Inq. I find you speak *Spanish* enough. What have you done? What is your Name? What Countryman are you? What Religion are you of?

Mart. My Lord, I don't know what I have done. My Name is *Isaac Martin*. I am an *Englishman*, and a Protestant.

Inq. Will you take an Oath that you will answer the Truth to what shall be demanded of you?

Mart. Yes, my Lord, I will.

Inq. Well! put your Hand upon that Crucifix, and swear by the Cross.

Mart. My Lord, we swear upon Scripture.

Inq. It is no Matter for Scripture; put your Hand upon the Cross. [I put my Hand upon the Cross, and thus he begun.] You must tell me what

your Father and Mother's Names were, what Brothers and Sisters they had, and what Brothers and Sisters you have, where they were born, and what Business they followed, or follow? [To which I answered, to the best of my Knowledge, too long to be here inserted.] You say you are an *Englishman*. We have great Belief in them; they are generally People that speak the Truth; I hope you will.

Mart. My Lord, I don't know what I have done any Thing that I should be afraid of. Your Lordship has given me my Oath; and if you had not, I should have told the Truth.

Inq. It is very well, *Isaac*. [Then he begins to ask about my Wife's Relations, his be bad about mine, and what Name my Wife and Children had, to which I answered directly.] Where was you born, *Isaac*, and in what Parish?

Mart. My Lord, I and my Family, were all born in *London*, but in different Parishes.

Inq. Are you a Scholar? Have you studied *Latin*?

Mart. No, my Lord, I have had but a common Education.

Inq. What do you call a common Education in your Country? You have been at School; what did you learn there?

Mart. My Lord, I learned to read, to write, and to call Accounts; that is what we call a common Education.

Inq. What Sect are you of? For in *England* you have several Religions as you call them.

Mart. My Lord, there are different Opinions in *England* in Matters of Religion; I am of that which is called the Church of *England*, and so were my Father and Mother.

Inq. Was you baptiz'd?

Mart.

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Mart. Yes, my Lord, I hope I am a Christian.

Inq. How are you baptiz'd in *England*?

Mart. We are baptiz'd in the Name of the Father, and of the Son, and of the Holy Ghost.

Inq. Do you take the Sacrament in your Religion?

Mart. Yes, my Lord.

Inq. How do you take it?

Mart. My Lord, we take Bread and Wine, as our Saviour gave to his Apostles.

Inq. Do you confess your Sins to your Clergy, as we do in the Church of Rome?

Mart. No, my Lord, we confess them only to God Almighty.

Inq. Do you know the Lord's Prayer, the Belief, and the Commandments?

Mart. Yes, my Lord, and will give you an Account of my Religion, if you please, and prove to you that I am a Christian, though I have been called a *Jew* and a *Heretick*.

Inq. What do you believe in your Religion?

Mart. My Lord, we believe the same Creed that you have.

Inq. Have you any Bishops in your Religion? Have you been confirm'd.

Mart. My Lord, we have Archbishops, and Bishops; but I don't remember whether I have been confirm'd.

Inq. *Isaac*, you have been brought up in the Dark, it is a Pity: But you may enlighten yourself if you will.

Mart. My Lord, I hope I have Light enough to save myself if I live according to it. *[His Discourse being very long, and I very much troubled in Mind, the Tears came into my Eyes, which he perceiving spoke thus to me very smoothly.]*

Inq. Don't cry, nor don't be afraid, there is no Body put to Death here, nor no Harm done to any Body. I hope your Case is not so bad, but it may be remedied. You are amongst Christians, and not amongst *Turks*.

Mart. My Lord, I know very well that I am amongst Christians; and that the Laws of Christ are moreiful: But I have been used as if I had committed Murder.

Inq. Well, have Patience, you shall have Justice done you; you must think of what you have done or said during the Time that you liv'd at *Malaga*, and confess it, for that is the only Way to get out of your

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Troubles. But let us continue our Examination: To be sure you was not brought here for nothing, was you?

Mart. My Lord, I don't know what I was brought here for.

Inq. You must think of that, and you must tell me how old you are, and, from as far as you can remember, the Life that you have led, what Company you have kept, what Business you have follow'd, what Countries you have travelled in, and what Languages you can speak?

Mart. My Lord, I have been a Traveller this many Years, and have made several trading Voyages; sometimes in one Country, and sometimes in another, and can't remember how long I have liv'd in every Place, but I will tell you as well as I can.

Inq. It is very well, *Isaac*, tell the Truth. [*After I had told him to the best of my Knowledge, he said,*] It is very well, *Isaac*, you have been a great Traveller, you have been wild in your Time.

Mart. Yes, my Lord, too wild; for if I had staid at home, as I ought to have done, I should not be in this Misery as I am.

Inq. In your Religion do you believe in the *Virgin Mary*, the Mother of God, and in the Saints? Don't you worship 'em?

Mart. My Lord, we believe that the *Virgin Mary* is the Mother of Jesus Christ carnally, and believe she and the Saints are happy; but we don't worship them.

Inq. What! Don't you worship the Mother of God, and the Saints that are always praying for us?

Mart. No, my Lord, we worship only one God in three Persons, and nothing else.

Inq. [*He speaks to the Secretary.*] It is Pity that he has been brought up in Heresy, he talks pretty well. [*Then he makes a long Discourse to me, representing to me,*] what a Pity it is that *England* has left the true Faith, and has embraced Heresy; that formerly it produced a great many Saints; but now it produced nothing but Schisms and Heresies; that our Bishops and Clergymen were a strange sort of People to marry as they did: [*And thus he run on a long while; to which I answer'd,*] that I believed that *England* produced as many good Men as ever it did; [*but he bid me hold my Tongue, and told me*] I knew nothing of those Affairs; bid me think of what I had done or said during my living at *Malaga*, that I should have Time to think of it, and to think upon what he had told me; bid me go to my Dungeon, and he would send for me another Time. (*To which I said,*)

Mart.

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Mart. My Lord, I hope that your Lordship will consider that I have a Family, and I beg that your Lordship will dispatch me as soon as possible.

Inq. I will do all that I can to dispatch you; go and think upon what you have done or said: I hope your Case is not very bad, and can be remedied if you think on what I have said to you.

It was a long Audience, for it lasted about an Hour and a Half. When I came to my Dungeon, I reflected on what had happen'd to me during my living at *Malaga*, and on what my Lord had said to me. I found by his Discourse that he was very well inform'd what Countryman I was, what Family I had, what their Names were, what Religion I was of, where I had travelled, and what Languages I could speak. As the Goal-keeper came Mornings and Nights to light my Lamp, I desired him to tell me, what he thought of my Case, and how I must behave myself at Audience? I made as much a Friend of him as I could, in order to learn something of the Ways practis'd in the Inquisition: But they are sworn to keep them secret, so that I could not learn much of him. He told me that I was there for the Good of my Soul; that the Lords of the Inquisition were very merciful; that I must not be afraid; that there was no Body put to Death there, nor no Harm done to any Body; that the Lords of the Inquisition demanded only a true Confession; that he believed my Case was but a small Matter, that I could remedy easily; and advis'd me, as a Friend, not to contradict 'em, but let them say what they pleas'd, for they were holy just Men. I thank'd him for his Advice, but found that my Lord and he were both Lyars, in telling me that I had no Occasion to fear, and that there was no Harm done to any Body there; for I knew, that in the holy Office of the Inquisition (as they call it) they torture People, they whip them, they send them to the Gallies, and they burn 'em alive, without any Body's daring to find Fault, though it should happen to their own Relations, upon Pain of being put there themselves, if the Inquisition should hear of it; for they pretend to be as infallible as the Pope in their Way of Justice, and that whatever they do is just; and the King himself has nothing to do with them, for they are above him, and he is subject to the Inquisition.

A Week after I was call'd to Audience, and coming into the Room, my Lord began thus: *Well, what, how do you? Do you remember what you have done or said whilst you liv'd at Malaga? Have you reflected on what I said to you?*

Mart.

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Mart. Yes, my Lord, but I can't remember every Thing that has happen'd in four Years Time.

Inq. Well, let us hear what you have remember'd.

Mart. My Lord, during my Living at *Malaga*, I was attack'd, and insulted several Times about my Religion. I hope your Lordship allows that an honest Man ought to defend his Religion.

Inq. Yes, *Isaac*, he may defend it.

Mart. My Lord, it is what I have done, and the same Liberty have the *Spaniards* in my Country: For if a Bishop should attack them in Matters of Religion, they have the Liberty to defend themselves.

Inq. How long have you been married? Was your Wife a Widow or a Maid when you married her?

Mart. My Lord, she was a Widow, and had two Children, and I have been married about seven Years with her, [which he knew as well as I, but was always sifting me, and hardly ever look'd in my Face.]

Inq. What Quarrels have you had with People? Do you remember their Names? If you do, I name them.

Mart. I nam'd four or five that I had Words with.

Inq. You think that those People are your Enemies; tell me what Reason you have to think so?

Mart. My Lord, at my first Arrival at *Malaga*, three *Irishmen* went to the Bishop's Court, to acquaint them that I was a *Jew*; they hardly knew my Name, nor what Religion I was of. Your Lordship has heard of it, I suppose. All the Time that I liv'd at *Malaga*, they, upon divers Occasions, shew'd themselves my Enemies. My Friends oftentimes told me, that they spoke ill of me behind my Back; sometimes saying that I was a *Jew*, and sometimes that I was a *Heretick*, and that they would play me a Trick one Day; that I should not carry much Money along with me if I left the Place; and I find, my Lord, that they have accomplish'd their Design.

Inq. Have you had no Words about Religion? Have not you blasphemed against our Holy Faith?

Mart. No, my Lord, I am a better bred Man than that. My Religion does not permit such Things. It is true that I have had high Words about Religion when I have been attack'd, but not to blaspheme your Religion.

Inq. Well, but what is the Reason that you have so many Enemies? Can you tell?

Mart.

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Mart. I know no other Reason, my Lord, but that I am an *English* Protestant, and had better Business than they had, which caused them to envy me ever since I have liv'd at *Malaga*. [*He speaks to the Secretary, and tells him, that there is some Likelihood in what I said, but it could be remedied.*]

Inq. Well, but *Isaac*, have you no Inclination to be a good Christian, and to be in the right Way of Salvation; you're a Man of Age and Reason, and have a Family; it is Time to think of your Soul.

Mart. My Lord, I hope God will save me in the Religion that I have been brought up in. I have no Inclination to change my Religion. *Jesus Christ* allows of no Persecution. I hope, my Lord, there is none here.

Inq. No, *Isaac*, it is all voluntary. I would have you think on it for the Good of your Soul, and of your Family. Don't you believe in the holy Father the Pope, that he is infallible, and that he can absolve People from their Sins?

Mart. No, my Lord, I believe that he is no more than another Bishop, and can absolve no more than another Clergyman can do.

Inq. Don't you believe in Purgatory?

Mart. No, my Lord, I believe in no such Thing.

Inq. What don't you believe that there is a Place call'd Purgatory, where the Souls of those that die are retained to be purified before they can go to Heaven?

Mart. No, my Lord, I believe that the Blood of *Christ* is sufficient to cleanse us from our Iniquities.

Inq. Poor Man! you have been brought up in Heresy and Ignorance from your youthful Days. I am sorry for you, you will find yourself mistaken when it is too late; you have Time to consider on it, and I would advise you to do it for your own Good. Can you think of any Thing else that you have done that they have sent you here for?

Mart. No, my Lord, I have had some few Words with People, but I believe it is inconsistent with this Affair.

Inq. What Words had you with the *Spaniards* at *Malaga*?

Mart. My Lord, at first several desired me to speak the *Lingua* for them, to help them to sell their Goods to Ships that came to load there, and I did; but there came so many, that I could not do Business for my self, so that I desir'd them to excuse me, and take some Body else: But they still importuned me so, that I was oblig'd to tell them that I would trouble my Head no more about their Business, and that I had Business

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enough

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enough of my own to mind: At which they would oftentimes fall into a Passion, and generally reflect on my Religion, which I could not bear at all Times; so that we sometimes quarrell'd very much.

Inq. Very well, *Isaac*; have you any Thing else to say relating to your Affair?

Mart. My Lord, I don't know what to say.

Inq. Well, go to your Dungeon, and think on what you have done; for it will be a great Help to your Release. I will do you what Service I can; but you must do what you can to serve your self, and think on what I have said to you.

I was call'd to Audience three different Times more about the same Subject; and he, still admonishing me to change my Religion, gave me to understand, though he did not speak downright, that it was the only Way to get out of my Troubles, which made me very uneasy in my Mind, seeing what he aim'd at.

You must know that the Secretary writes in Short-hand what I answer'd to his Demands.

A Visit of one of the Lord's Inquisitors, Don Petro Leonor.

Don Fernando, the Head Goal-keeper, one Morning told me that I must get my Dungeon very clean, put every Thing under the Bed, and dress my self as well as I could; gave me some Anniseed to throw in the Fire, when I should hear him come again, with one of the Lords of the Inquisition, who was to come to see me. Some Time after he came, and I threw the Anniseed in the Fire to take away the Stink of the Dungeon. His Lordship's Name was *Don Petro Leonor*: He was the second Inquisitor, and thus he begun to speak to me, as if he had never heard talk of me.

Inq. How do you? what is your Name?

Mart. My Lord, my Name is *Isaac Martin*.

Inq. Well! Is the Goal-keeper civil to you? Do you want for any Thing? Have you your Allowance?

Mar. My Lord, The Goal-keeper is very civil, and I believe that he allows me what is allow'd; but if I had more I could eat it. [*He speaks to the Goal-keeper, and asks him if he gave me my Allowance; the Goal-keeper answers, that he did.*]

Inq. Well, then you have enough, [*said he to me.*]

Mart. *My Lord, I have no more to say.*

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Mart. My Lord, it is not that which troubles me; it is my being detain'd here: I can live upon the Allowance, though it is short.

Inq. Well, can I serve you in any Thing? The Secretary shall write it down. What have you to say? Tell me.

Mart. My Lord, I have nothing to say but what I have said. [You must know that there is always a Secretary with them, who carries Pen, Ink, and Paper.]

Inq. Hark ye, you have been brought up in Heresy; it is a Pity: You were all good People, and good Christians in England, 'till Henry VIII. came; and that was your first Loss: Then came Queen Elizabeth, and she was a very wicked Woman; that every Body knows: And here of late you have had one that you call King William; he had no Religion, what he aim'd at was to get the Crown; and so you have been led away. [And thus he run on a long while.]

Mart. My Lord, I believe that King William lived and died as a good Protestant Christian, and he receiv'd the Sacrament from one of our Bishops a little before he died.

Inq. I am very well assur'd that he had no Religion, for I read it in a French Book: And as for your Bishops and Clergymen, they are a strange sort of Men to marry and live such Lives as they do.

Mart. My Lord, I believe they live very well.

Inq. Hold your Tongue, you know no better; you are here for the Good of your Soul. Now is a very good Time for you to renounce that Heresy which you have been brought up in, and to become a good Christian, as your Fore-fathers were. You have Time to think of it, there is nothing to disturb you. Do you say your Prayers sometimes?

Mart. Yes, my Lord, I say my Prayers.

Inq. Very well, you must pray to God to enlighten you in the true Faith of the Church of Rome, without which no Man can be saved. It has been said, that you are a Jew, but I don't believe it, though you look something like one: But it does not go by Looks always. It may be some of your Relations formerly were Jews.

Mart. My Lord, I never heard that any of my Relations were Jews; as for my Looks at present, I believe they are like a Jew's or a Turk's. [Durst I to have spoken, I had told him, that he look'd like one; for his Lordship had a tallow wainscotted Look.]

Inq. Well, think what I have said to you for the Good of your Soul, and don't be harden'd in your Opinion; but believe what I say is

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for your Good. You Englishmen mind eating and drinking, and your Pleasures, more than Religion.

And so he went away, and glad was I to be rid of his Visit.

Some Days after, Don Fernando told me I must go to the Audience. Coming into the Room, my Lord began to speak to me thus:

Inq. Well, Isaac, have you any Thing now to tell me relating to your Affair?

Mart. No, my Lord, unless I tell you the same Thing over again, and I believe it will not signify any Thing.

Inq. What, then you have nothing else to say, Isaac?

Mart. No, my Lord, I have nothing to say. [He rings a Bell to call the Goal-keeper, and bids him call another Secretary, which came with some Writings in his Hand, makes me sign what I had said in my Examination, and orders the Secretary to read aloud the Papers that he had in his Hand, which were my Accusations. After that he spoke to me thus:]

Inq. Well, what have you to say for yourself? You have heard what you are accused of?

Mart. My Lord, there are some Accusations that are true, and some are false.

Inq. Can you answer to them all?

Mart. Yes, my Lord, one after another.

Inq. So you shall. But you must take your Oath that you will answer true to the best of your Remembrance.

Mart. My Lord, I will. [After he had given me my Oath as before, he said,]

Inq. Do you think that you know any of those People that have sent their Accusations against you?

Mart. My Lord, I know a great many, if not all. I wish your Lordship would send for them, that I may see them Face to Face.

Inq. There is no such Thing practis'd here; don't be hasty, answer just, and declare the Truth.

Mart. So I will, my Lord.

Accusation. That at your first coming to Malaga, you went and scolded at the School-master for teaching your Children the Christian Doctrine; telling him that you would teach them your Religion, and that you sent them to School to learn to read and to write, and not Religion.

Mart. My Lord, I will confess the Truth. I hope your Lordship requires nothing else. I did go to the School-master, and told him that I sent my Children to learn to read and write, and not to learn Prayers; that

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that I would have them brought up in my Religion, and would teach them how to pray; but I did not scold at him. I believe, my Lord, I have the Liberty to bring up my Children in my own Faith, without being called to an Account for it.

Inq. No, since you live in a Christian Country, you must let your Children be brought up in the Christian Faith. [*Bid me hold my Tongue, and bid the Secretary write down what I had said, and that I was guilty in so doing.*]

2 Acc. That at divers Times it was remarked, that I did not pull my Hat off, nor pay any Homage to Images, but turn'd my Back to them.

Mart. My Lord, in my Religion we pay no Respect to graven Images. I profess my self to be a Protestant, and it is against my Conscience to bow to any, and I am not oblig'd by Articles of Peace so to do. I believe your Lordship knows what the Word Protestant means.

Inq. You live in a Country where People do so, and it gives ill Examples if you don't do as the rest: Whether you believe it is proper or no so to do, you must do it.

Mart. My Lord, consider that I am an *English* Protestant, and that I have not the Liberty of Conscience if I am oblig'd so to do. [*He bids the Secretary write down what I had said.*]

3 Acc. You have said, walking in a Room with an *English* Captain, a Heretick like your self, that Purgatory was but an Invention of the Church of *Rome* to get Money; for there was one that could speak the Language that heard you say so.

Mart. My Lord, I can't remember every Thing that I have said during four Years Time. It may be that I have said such a Thing, but if I did, it was not to a *Roman* Catholick. If there was one in the Room that heard me say so, he must be an *Irishman*, who was not very welcome there: For they come more to 'spy than for any Thing else.

Inq. Do you think that you know his Name?

Mart. Yes, my Lord, I believe his Name is *R. M.*

Inq. But how came you to say such Things in these Countries?

Mart. My Lord, my Religion admits of no Purgatory, as I told you before, and being in my own House, among People of my own Religion, not minding that *Irishman*, I believe I did say so.

Inq. Are you not sorry for having said so?

Mart. My Lord, if I have said amiss, I beg your Lordship's Pardon.

Inq.

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Inq. To be sure you ought not to speak in these Countries. [*Write down, Secretary, that the Heretick begs Pardon to the third Accusation.*]

4 *Acc.* That, going along with a Person, he pull'd his Hat off to a Crucifix, and you ask'd him for what Reason he pull'd off his Hat? He told you to the Crucifix, and you answer'd him, we have no such Thing in our Country, and went away without pulling off your Hat.

Mart. My Lord, I remember the Time very well, it is very true. I never pull off my Hat to a Crucifix, unless they are carried in Procession, and then I used to pull it off; but not in Respect to the Image, but to cause no Scandal.

Inq. Don't you find your self in a Fault for so doing? For if every Body should do so, the Christian Religion would fall, and come to nothing.

Mart. My Lord, if I was a Roman, or, if by Articles of Peace between my King, and the King of Spain, there were such Things mentioned, that English Protestants were obliged to pay Homage to all the Crucifixes, Images, and Saints, I should reckon myself guilty: But there is no such Thing, I reckon myself no ways guilty, and desire your Lordship to try me by the Articles of Peace, that I may know whether I am guilty or not.

5 *Acc.* That you have spoken several Times against the Church of Rome, disputing of Religion, and had been admonish'd several Times to embrace our holy Faith, without which no Man can be saved; but you never would give Ear to it.

Mart. My Lord, at my first Arrival in the *Inquisition*, you granted me that a Man might defend his Religion: It is what I have done. As for being admonish'd to change it, it has happen'd very often; but I have no Inclination to change.

Inq. Could not you defend your Religion, without speaking against the Church of Rome.

Mart. My Lord, I can't tell how to do that; for in disputing, as People spoke against my Religion, I spoke against theirs, and gave Proof of Scripture of what I said.

Inq. Hold your Tongue with your Scripture: There are other Things besides Scripture that you must believe, that are revealed to the Church. You are in the wrong: You must take care what you say in these Countries. It was for the Good of your Soul that you were admonish'd; and I would have you consider of it at present, for your own Good.

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6 *Acc.* That being aboard an *English* Ship, with your Wife, and others in Company, a certain Person of the Female Sex was admonishing your Wife to be a good Christian, and to change her Religion; and you bid her hold her Tongue, and mind her own Religion, and not trouble herself to make Converts; and you scolded at her very much. It was on a *Friday*, and you eat Meat; do you remember that, *Isaac*?

Mart. Yes, my Lord, we were very merry, drinking of *Florence* and Punch; and that Woman was always talking of Religion to my Wife, tho' she hardly knew what she said, or at best knew but little of the Matter. I desir'd her to be quiet, and told her we did not come abroad to talk of Religion, but to be merry; which she continuing to talk of, made us all very uneasy; so that I bid her hold her Tongue, and mind her own Religion, and so we quarrell'd. As for eating Meat on a *Friday*, I generally do, and so did she, tho' she is a Roman Catholic.

Inq. You are in the wrong: That Woman gave good Advice to your Wife, and might have converted her, if it had not been for you; but I suppose that you don't care that she should be a Christian. You will have her remain as she is.

Mart. My Lord, I hope she is a Christian already, and has no Mind to change her Religion.

Inq. If it was not for you, your Family would be all good Christians; but you hinder them. [Write down, Secretary, what the Heretic says.]

7 *Acc.* That being in Company with some *English* Heretic Captains at a Church, there were some People kneeling, and praying to the Image of the Virgin *Mary*; and the Captains ask'd you if they pray'd to the Image; to which you answer'd, Yes; that they were brought up in that Way of Worshipping from their Infancy, and that they knew no better, being brought up in Ignorance.

Mart. My Lord, I have been divers Times walking with Captains; I don't remember this particular Time. It may be, that some Body heard me say so; but I am sure I spoke *English*, and it must be an *Irish* Man that heard me say so.

Inq. You think that no Body understands what you say, but you are mistaken; and People, hearing you talk so, may believe that they are brought up in Ignorance.

Mart. My Lord, I did not say it designedly to make them believe so; neither did I know that any Body understood me but those Captains, that are of the same Religion as I am: If I have said amiss, I beg your

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your Lordship's Pardon: It was thro' Ignorance, not knowing that such Things might not be said in these Countries.

Inq. You have more Malice than Ignorance, as you say, You know too much of what you should not know; and you won't know what you should know. Do you beg Pardon of this holy Tribunal, for having said so?

Mart. Yes, my Lord, if I have said amiss. [*He says to the Secretary, shaking his Head, Write down what the Heretic says: I wish begging Pardon may do.*]

8 *Acc.* That being walking with several Merchants, the holy Host past by; they all pull'd off their Hats, and some kneeled down; but you did not so much as pull your Hat off, which caused a great Scandal, inasmuch that some People had a mind to stab you, for seeing you so irreverend in a Christian Country.

Mart. My Lord, it is false: I have lived several Years in Roman Countries, and know that by Articles of Peace I am obliged to have my Hat off; and during my living at *Malaga*, I always took care to cause no Scandal: But for bowing or kneeling, I did not, nor am I obliged to it, for it is against our Religion. As for People stabbing me, I have run those Hazards many a Time upon the Account of my Religion.

Inq. But these People would not accuse you, if it was not true.

Mart. My Lord, they accuse me of being a *Jew*, must that be true? I wish your Lordship would let me see my Accusers; for whilst I am here, they may accuse me of Murder, and I must answer to a Thing that I know nothing of. I don't understand this Way of Justice; let the Secretary write down what you please.

Inq. Don't you be in a Passion, *Isaac*.

Mart. My Lord, it is very hard to be accused of Things that one knows nothing of. In other Courts one sees his Accusers; I don't understand this Way of Justice; my Lord, It signifies nothing to me to make any Defence; let your Secretary write what you please.

Inq. I believe you don't understand this Justice; but you deny the Accusation, don't you?

Mart. Yes, my Lord, I do; for it is false.

9 *Acc.* You have been threaten'd divers Times with the Pope's Authority in these Countries; and you have said, that you did not value him, and that he had no Authority over you.

Mart. My Lord, it is true, I have said so.

Inq.

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Inq. How came you to say so? Don't you value the holy Father, who is God on Earth?

Mart. My Lord, talking with some People, who were very troublesome, about Religion, they have threaten'd me with the Pope's Authority; and being an *English* Protestant, I thought that he had nothing to do with me.

Inq. What! then you value no Body.

Mart. I beg your Lordship's Pardon: I value all Mankind, as being Fellow-Creatures: I value the Pope as Bishop of *Rome*, but not for what Authority he has over me; for I believe he has none.

Inq. You're mistaken, *Isaac*. Who is the Head of your Church?

Mart. My Lord, I see to my Sorrow that I was mistaken: *Christ*, *Jesus* is the Head of our Church.

Inq. What! then you allow no Head upon Earth?

Mart. No, my Lord.

Inq. Hold your Tongue; you are an Unbeliever; He is God upon Earth.

10 Acc. That being walking with some Captains of Ships, there was a Procession going by, and you bid them to retire, and not mind it.

Mart. My Lord, Processions are very frequent at *Malaga*: I have oftentimes been in Company with Captains that never were in *Roman* Countries, and they, not knowing that People went there for Devotion, would laugh, and some would not pull their Hats off; so that I often bid them retire, to cause no Scandal: I hope there is no Harm in that, my Lord.

Inq. Have you no Regard for our Processions?

Mart. My Lord, living in a *Roman* Country, that I might cause no Scandal, I used to pull off my Hat, but not in Respect to the Images that were there.

11 Acc. That the Procession went by, and all the People kneeled down, and worshipped, and you stood with your Hat on, and took no notice of it, which caused a great Scandal.

Mart. My Lord, I remember nothing of the Accusation; but I believe it is false; and if I did not pull my Hat off, it was because the Host was not there; But for kneeling or bowing, as I told your Lordship before, I never do. Your Lordship tries me, as if I was a *Roman*, I am a Protestant: I gave a small Account of my Religion to your Lordship at my first Coming; if I was a *Roman* I should be guilty.

Inq. Well, but though you have the Liberty to live in these Christian Countries, you have not the Liberty to do what you please.

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Mart. My Lord, I hope that *English* Protestants have Liberty of Conscience in these Countries, by Articles of Peace, or else they would not live here. The *Spaniards* are not molested in *England* upon the Account of their Religion.

Inq. You ought to conform yourself to the Country that you live in.

12 *Acc.* That being in your House, an *English* Captain speaking to you, asked you if you was a *Jew*, and you fell a laughing, and said, that you did not value what such scandalous People said; that you was ready to give an Account of what Religion you was.

Mart. It is true; my Lord, I little valu'd what such scandalous People said, and was always ready to give an Account of my Faith, but little thought I should be sent here to be examin'd whether I was a *Jew* or no; there are Clergymen enough at *Malaga*. [It is computed, that there are fifteen hundred of one Sort or other, and *Malaga* is no bigger than two of our Parishes.]

Inq. This is the properest Place to be examin'd in; and it is no laughing Matter in this Country to bear the Name of a *Jew*.

Mart. My Lord, before I came to *Malaga*, I had lived in several Parts of *Spain* and *Portugal*. I knew that *Jews* are not allowed to live in those Countries, and are burnt if they don't change their Religion, if taken up by the *Inquisition*. Had I been a *Jew*, I should not have come here to live, with a Wife and four Children, to run those Hazards. I believe your Lordship knows very well that I am no *Jew*.

Inq. Your Name is *Isaac*, and your Son's Name is *Abraham*, and you say that you are no *Jew*!

Mart. Those Names signify nothing, my Lord: I thank God I am a good Christian, and hope to die in the same Faith.

13 *Acc.* That you never gave any thing to those that beg for the Souls that are in Purgatory, but hurt'd them, sending them to the Devil.

Mart. My Lord, it is true; but he does not mention the Reason why I did say so.

Inq. Well, let us hear; but speak the Truth; how was it?

Mart. My Lord, the Person that comes to beg, knows me very well to be a Protestant; he comes generally every Night at my Door. I often desir'd him to excuse me; that I gave no Alms for the Souls that are in Purgatory; but the more I excus'd myself, the more he insisted; in so much that he called me Heretick Dog, telling me that I was damn'd, and should go to the Devil. I refrained, as much as I could, speaking to him; but at last gave him as good as he brought. I allow myself

that

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that I was to blame, in putting myself in a Passion with such a Man; but one is not Master of one's self at all Times; and cho I live in a *Roman* Country, I don't think that I am obliged to take all the Abuses that I have received upon the Account of my Religion. I have sometimes given Alms to People that asked me in a civil Way, but not to pray for Souls departed.

Inq. What! then you don't believe there is a Burgatory?

Mart. No, my Lord, I don't believe there is any such thing.

Inq. Have you declared the Truth?

Mart. Yes, my Lord.

Inq. Well, hold your Tongue, say no more.

Acc. That People, being in Company, have heard you say, that you fear'd no Justice; and they ask'd you if you did not fear the *Inquisition*; and you answer'd No; that you was no *Jew*, nor *Roman Catholic*; but an *English Protestant*; and the *Inquisition* had nothing to do with you.

Mart. My Lord, I have oftentimes said so.

Inq. What! are you under no Laws, because you are an *English Man*?

Mart. My Lord, an honest Man fears no Justice. I know, that let me live where I will, I am subject to the civil Laws of the Country; but I did not believe the ecclesiastical Law had any Power over *English Protestants*.

Inq. You think, that because you are an *English Protestant*, you may say or do what you please. This is a Country where People must take a great deal of Care what they say.

Mart. My Lord, I lived such a Life at *Malaga*, that I feared no Justice. If I have said amiss, I beg your Lordship's Pardon.

Inq. Do you beg Pardon of the Holy Office for what you have said?

Mart. My Lord, if I have said amiss, I beg Pardon.

Inq. Secretary, write down that the Heretic begs Pardon to that Accusation; I wish it may do.

Acc. That you have had *Jews* in your House, without giving notice to the Commissioner of the *Inquisition*; that they might be taken up, and prosecuted according to the Laws of the Country. How durst you do such Things? Do you remember any such Things?

Mart. Yes, my Lord, I do very well.

Inq. Let us hear what you have to say for yourself.

Mart. My Lord, there came a Ship bound for *Leghorn*; that had a Passenger that came to my House. He spoke very good *Spanish*; and I believe, by his Looks, he was a *Jew*. He stay'd with his Captain about

two Hours at my House. I never saw him before, nor since. He might be a Christian for what I knew; but being bound for *Leghorn*, and speaking good *Spanish*, I thought he was a *Jew*. That is all that I know of the Man: God knows what his Religion he was of.

Inq. Do you know the Person that has sent his Accusation against you?

Mart. Yes, my Lord, his Name is *A. H.* a Man of a sorry Character.

16 Acc. That it is confirm'd by several People, that the said Heretic *Isaac Martin*, during his living at *Malaga*, has at divers Times shewn himself very disaffected against the holy Faith of the Church of *Rome*, and has hinder'd some People from embracing it; and had it not been for the sake of his Family, he had been murder'd long ago; and we recommend him to your holy Office as a dangerous and pernicious Man against the Holy Faith of the Church of *Rome*; and a great many report that he is a *Jew*. We desire your holy Tribunal will examine him with a great deal of Strictness, according to the Custom of your holy Office, and give him such Chastisement as your Lordships shall think fit, as well in Body as in Chattels.

Inq. Well, what have you to say for yourself? See what a Character People give you! Sure you are a very wicked Man!

Mart. My Lord, I suppose these are very good Christians that give me this Character; God knows best what to do with them: There is none of them that can say that I have wrong'd any Body at *Malaga*. I have always professed myself to be a Protestant, and for that Reason, and no other, I have been brought here. I hope God will enable me to go through these Afflictions. I am very well assur'd that your Lordship knows I am no *Jew*. As for what Character they give me, God knows best whether I deserve it or no. I have answered to your Examination, the Truth, to the best of my Remembrance; and I believe your Lordship knows it to be so, and knows that those People who inform'd against me are but People of a very indifferent Character, who have always envied me ever since I lived at *Malaga*.

Inq. Most of your Accusers are your Countrymen: Sure they would not speak against you if it was not so!

Mart. My Lord, those whom you reckon my Countrymen, are the worst Enemies I have. I deny 'em for Countrymen: They are *Irish*. It is true that *Ireland* belongs to the Crown of *England*; but these People have deserted from our Army, and are Enemies to my Religion, King, and Country, and the worst that an *English* Protestant can have abroad.

17 I wonder

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I wonder, my Lord, that there is never a Merchant, nor a Man of any good Reputation, that has declared any thing against me. *my Lord*
Inq. Hold your Tongue: Do you think that I will believe all you say? To be sure you have been a very wicked Man, by what is here mention'd; and you deny a great many Things, and are so malicious, that you give what Turn you please to Things. I have heard of you four Years ago: You are a sly Man; but we have Tortures to make People speak the Truth, if they don't.

Mart. My Lord, you may do what you please with me: I can't help myself: Your Lordship knows that I have declared the Truth.

Inq. You shall have a Lawyer to defend your Cause; but I believe it is very bad. *[The Lawyer is called in: My Lord tells him that I am a strong Heretic; that he has examin'd me; that I deny a great many Things of which I am accus'd; He bids him write to Malaga, to know what they say of me; tells him that my Case is very bad, but might be remedied, but I would not.]*

Inq. Go, you are guilty: You may repent of what you have said, if you don't take care. Sign these Papers, which are what you confess. *[The Lawyer said Yea and Nay to what my Lord said, and never spoke a Word to me, nor I to him; so I went away to my Dungeon.]*

Don Fernando had oftentimes told me, that if I would go to Audience I might, if I desir'd it. Finding that I was a Fortnight without being call'd, I told him that I desir'd Audience; which was granted me two or three Days afterwards. Coming into the Room, my Lord began thus:

Inq. Well, *Isaac*, what have you to say in your Defence? You have demanded Audience:

Mart. My Lord, I have nothing to say but what I have said already. I come to beg the Favour of your Lordship to dispatch me. I believe you have done examining of me. I remember that they desir'd your Lordship to chastise me both in Body and Wealth: I believe that my Body has been chastis'd enough, in suffering what I have suffer'd; to be lock'd up in a dark Dungeon by myself, where I am worse than a Dog. As for what Wealth God has given me, your Lordship is welcome to it. If I am such a bad Man as People report, fetter me, and send me, with my Family, aboard any Ship; let her be bound where she will, God will provide for us.

Inq. Hold, hold, *Isaac*; Things are not done so soon as you think for: You have broken the Articles of Peace, by your own Confession.

Mart.

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Mart. My Lord; I am very sorry if I have. I desire your Lordship would shew them to me, that I may know in what I am guilty.

Inq. I have them: You shall see them: another Time. There is a great deal to be said in your Affair. Have you anything else to say?

Mart. No, my Lord, I desire to be tried by them. You was pleased to tell me, that you would quickly dispatch me.

Inq. Go, go to your Dungeon, and think upon what you have done.

When I came to my Dungeon, I was resolv'd to ask for no more Audience, and wonder'd that a Man who sits upon a Throne betwixt two Crucifixes, attributing to himself Holiness and Infallibility; should tell me so many Lies; and found that there was no Way of Redemption, but by praying to God to give me Strength, and deliver me from their Hands.

Some Days after *Don Joseph Equarez*, the third Inquisitor, came with a Secretary to my Dungeon, and thus he began.

Inq. How do you do, *Isaac*? Have you any thing to say in your Defence? Can I serve you in anything? Tell me.

Mart. My Lord, I have nothing to say, but what I have said already. I think it is very hard to be kept here so long.

Inq. Hark ye, you think, you *English* Man, that we aim at your Wealth, but you are mistaken, there is no such Thing. You have confessed that you did not pull your Hat off at our Images. You ought to do it, living in these Christian Countries, whether you believe in them or no; for it shews ill Examples if you don't.

Mart. My Lord, we Protestants never do such Things; it is against our Religion and our Conscience to do so.

Inq. You must all do it in this Country, and it is a Thing that ought to be done. See if I can serve you in anything.

Mart. If your Lordship would be pleased to get me out of this Misery, I should be very much oblig'd to you.

Inq. There is Time for all Things. You have been brought up in Heresy; you are here for the Good of your Soul; you must enlighten yourself in the true Faith: I will do you all the Service I can. Have you any thing else to say?

Mart. My Lord, I hope to be saved in the Faith that I am in.

Inq. Well, think upon what I have said to you. Farewell.

When I was brought back to my Dungeon, I thought of all that I had said, and how I was mistaken in my own Conscience. I thought of the many Lies that I had heard, and how I was mistaken in my own Conscience. I thought of the many Lies that I had heard, and how I was mistaken in my own Conscience.

Description

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Description of the Inquisition of Granada

The *Inquisition* is like a Palace till you open the Doors of the Dungeons, and then it looks very dismal. It is built much in the same Manner as a Convent, with Galleries all round it. There are Dungeons on the Ground Floor, up one Pair of Stairs, and up two Pair of Stairs, all in the same Nature. They are about fifteen Foot long, and ten in Breadth; two Doors to each Dungeon, well bolted, and well lock'd; Light enough to see to read, in some Parts where the Light gives. There are three Lords Inquisitors, but there is but one that examines at an Audience. They have their Apartments in the *Inquisition*. There are five Secretaries, and two Goal-Keepers, which receive Salary from the King. The King names the Inquisitors, and the Pope confirms them. *Don Baltazar*, the Under Goal-Keeper, told me there were about a hundred Dungeons, and each Person is in one by himself. The Prisoners are let out but one at a Time, to fetch their Allowance, or to throw out their Dirt, which is twice a Week each, and then they are lock'd up. Every Prisoner is allow'd Five-pence Halfpenny a Day, *English Coin*, for all Necessaries. The Goal-Keeper comes and asks you twice a Week what you will have to eat or to drink, as far as it would go. I was allow'd between four and five Pound of Bread a Week; two Pound and a Quarter of Meat, which I used to make six Boilings of, and on a *Friday* boil'd some Bread with a little Oil and Greens together for my Dinner. I was best provided with Wine; for I had about six Pints of our Measure per Week. Greens I had Plenty of to put in my Pot. I had at Breakfast a Piece of Bread as big as a Couple of Eggs, a Glass of Wine and a Glass of Water mix'd together, and at Supper the same; but at Dinner I had always my six Ounces of Meat, (except *Fridays*) and a great deal of Greens boil'd along with it, so that my Belly was pretty full at Dinner. The first Day my Meat was sweet, but the second it smelt, and the third it stunk, and was green in Summer-time; but I used to eat it, having nothing else. At first I thought it very hard to be reduced to such an Allowance, having lived in Plenty; but some time after, I was used to it, but grew very lean; though, I thank God, I enjoyed my Health almost all the Time I was there.

The Prisoners are allow'd Earthen Plates and Pipkins, and an Earthen Stove to light Fire, Pitchers to hold Water in, three Baskets to put their

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their Bread and Necessaries in, a Wooden Spoon, a Broom, and a Basen to do what one has Occasion in. There are no Shelves nor Tables allow'd, nor any thing to sit upon but some Boards that are fasten'd in the Wall, which your Bed is upon. You are allow'd no Knife nor Fork; so that they are obliged to part their Meat with their Teeth and Fingers, as well as they can. I had heard many Years before I was taken up, that they gave Meat without Bones to the Prisoners that were in the *Inquisition*; but to my Sorrow, when I came there, I found the contrary; for sometimes out of six Ounces, I believe I had but three or four of Meat. The Prisoners are not allow'd Books, Pen, Ink, nor Paper; and if they are there never so many Years, they can never hear from their Family, or Relations. They are not allow'd to hear Sermons, or Mass, nor to take the Sacrament; and if they pray, it must be so softly that no Body can hear them, upon pain of being chastised.

I was one Day singing to myself very softly, thinking no Body heard me, the sixth Psalm, which was very *a propos* for the Condition I was in; but *Don Fernando* came and threaten'd me, and bid me hold my Tongue. I asked his Pardon, and I found out afterwards that they walk'd softly to hear if the Prisoners made any Noise, or spoke to one another. They are so secret in their Ways, that several Friends and Relations may be in the same *Inquisition*, and not know of it.

There are several *Inquisitions* in Spain; but the chief is at *Madrid*; and by what I could learn by *Don Fernando*, they all give an Account, in some measure, of what they do, to the *Inquisition* of *Madrid*. I asked *Don Fernando* another Time whether they put People of Quality in the *Inquisition*? He told me that the King was subject to it, and that the *Inquisition* was above him, and that there was a Bishop in a little while ago. I asked him for what? He told me that he had committed some Errors in the holy Faith. I was allow'd a Lawyer to defend my Cause, but he was not allow'd to speak to me, nor I to him.

The *Holy Tribunal*, as they call it, is almost as large as our House of Parliament where the Lords sit, very finely adorn'd with Pictures. There is also a fine Altar; the Throne is garnish'd with red Velvet. There are three fine arm'd Chairs, where the Inquisitors sit; behind them there is a large Crucifix, embroider'd with Gold; at the Right Hand of it is the triple Crown, and the Cross Keys under it; and at the Left Hand a naked Sword, and the King's Arms under it, all finely embroider'd upon red Velvet, with Gold and Silver. The Table is also cover'd with red Velvet, with a Crucifix upon it, about two Foot high, of Gold

or

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or Silver gilded; the Secretary sits at the End of the Table, and the Prisoner fronting the two Crucifixes and my Lord. There is a large Standish, and some Silver Bells upon the Table, to call the Secretaries or the Goal-Keepers, for there must no Voices be heard.

The *Holy Office*, as they call it, seems to have been invented to keep the People in Ignorance, and in Fear, which they do so effectually, that no Body durst keep a Bible or a Testament in their House. I knew a Gentleman, a Roman Catholic, who liv'd at *Malaga*, that had sent his Son into *England* for Education, who coming over again, brought one of our Common-Prayer Books translated into *Spanish*. An *Irish* Priest hearing of it, went to his House, and threaten'd to put him in the *Inquisition* for keeping such a Book; took it away from him, and burnt it. I could rehearse a great many such Things, which I know to have happen'd. I have travell'd many Hundreds of Miles in *Spain* and *Portugal*, but never could see a Bible or a Testament printed in *Spanish* or *Portuguese*; for the Printers durst not print them.

Mr. Martin here gives us several Particulars concerning the Officers of the Inquisition; but all those People, as well as their Manner of Proceeding, having been described, we shall avoid Repetitions. Our Author proceeds thus:

After I had been there about thirteen Weeks, I was called to Audience again, which rejoiced me very much, thinking that now I should know my Doom. When I came into the Room, my Lord begun thus:

Inq. Well, *Isaac*, have you thought of any thing else in your Affair, besides what you have already declar'd?

Mart. No, my Lord, I have nothing else to say, unless I repeat what I have said already: I believe it will signify nothing.

Inq. Here are several more Accusations come against you, that you must answer to.

Mart. It is very well, my Lord; I will answer to them as well as I can; [*He reads them over, and I believe there were as many again as before: Some I have set down here that I remember.*]

Inq. Well, *Isaac*, what have you to say now?

Mart. My Lord, this is the same Thing over again, only the Accusations are something altered and misplaced. I can quickly answer to them; and as for those that are added to them, they are almost all false, and the Devil has invented them.

Inq. Hold, *Isaac*, you talk strangely.

O o o

Mart.

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Mart. My Lord, I speak the Truth: Your Lordship was pleased to tell me, at my first Coming, that you would dispatch me very soon: I have been here above three Months, and am no likelier to get out than the first Day.

Inq. Hold, hold; do you think that Justice is done here as in your Country, at random, and I don't know how? Here Things are well examined, and Justice is done as it ought to be done. Remember that you are upon your Oath, and answer to these Articles.

Mart. Must I answer to them that I have answered already?

Inq. Yes; you must, and take care what you say.

Mart. It is very well, my Lord. [*I quickly ran over them, and then began with the fresh ones.*]

17 *Acc.* That I hinder'd my Family from being brought up in the Christian Faith; and that if it was not for me, they would be all Romans, and it is against the Laws of the Country to hinder them.

Mart. My Lord, it is false that my Family had any Inclination to be Romans; neither can any Laws oblige them to be so, or hinder me from bringing them up in my Religion. Your Lordship, five Weeks ago, told me that you would shew me the Articles of Peace, and that I had broke them; pray let me see them, my Lord.

Inq. You shall see them another Time. Answer to these Articles.

Mart. My Lord, all my Family are as I am. I could never perceive that they had a mind to change their Religion.

Inq. What! do you deny this Accusation?

Mart. Yes, my Lord, I do: It is all false.

18 *Acc.* That I used to shut my Window Shutters when the Procession went by, to hinder my Children from kneeling down, and used to beat them if they shew'd any Inclination to be Roman Catholics.

Mart. My, Lord, it is true that I have shut my Shutters several Times; for sometimes I had Captains of Ships in my House that would not pull their Hats off when they saw them. As for my Children, they went to the Window generally to laugh, and I oftentimes bid them not to shew themselves when they went by, that no Scandal might be given: And if I had beat them, as it is said, I believe that I have the Liberty to do it, if I please.

Inq. No, you have not in some Cases. How old are your Children?

Mart. One is fifteen, and the other is eight, and the other is five Years of Age.

Inq. They are of Age to be brought up in the Christian Faith.

Mart.

Mart. I hope they are my Lord; but as for the two youngest, they can be brought up to any Religion.

Inq. Your Daughter and your Son *Abraham* are of Age, and you are but their Father-in-Law: They may be brought up in the Christian Faith. You have nothing to do with them.

Mart. My Lord, I hope that they are Christians, and I look upon them as if they were my own Children.

Inq. So that you would have 'em brought up in your Religion?

Mart. Yes, my Lord.

19 *Acc.* That my Daughter being of Age, had often said in the Neighbourhood that she would be a *Roman Catholic*, but she was afraid that I should beat her if I knew of it, and that I had oftentimes beat her upon that Account.

Mart. My Lord, I have nothing to answer to such Lies: It is as false as the Devil is false.

Inq. What! have you nothing to say, *Isaac*, to this Article?

Mart. No, my Lord, I never knew my Daughter inclinable to be a *Roman*, and I never did beat her upon that Account; it is all false, and you may order your Secretary to write down what you please.

20 *Acc.* That in *Lent*, and other Fast-Days, I caused my Family to eat Meat, and forbid them to keep any Fast-Days that were appointed by the Church of *Rome*, and beat them if they did.

Mart. My Lord, those are poor Accusations, and they are all false. I thank God, my Table afforded Flesh and Fish all the Year round: I never troubled my Head to see what the Servants used to eat, and as for my Wife and Children, we eat Meat all the Year without Scruple of Conscience; your Lordship knows that.

Inq. You *English* mind nothing but eating and drinking, and living at your Ease, without doing any Penance.

Mart. My Lord, I beg your Pardon; we have Souls to be saved as well as other Nations. We are born in a plentiful Country, and I believe we live as well as any Nation, and serve God as well.

Inq. Your Country was a good Country formerly; it produced a great many Saints, but now it produces no such Thing.

Mart. My Lord, I believe there are no Saints now; but I am persuaded it produces as many good Men as ever it did.

Inq. Hold your Tongue: You are all lost Men: You are all fallen from the holy Church; and there is no Salvation for you, if you don't come into it again.

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21 *Acc.* That my Children had often been at Mass, and at Prayers in the Neighbourhood, and would do it every Day, if I would let them, but I beat them, and hinder'd them from being Christians, and was the Occasion of losing their Souls.

Mart. My Lord, I never knew my Children go to Mass nor Prayers in the Neighbourhood, nor ever beat them upon that Account. I hope God will save their Souls in the Religion they are brought up in, though the Church of Rome condemns them; and the Accusation is false.

Inq. Why! you deny every Thing almost.

Mart. I deny nothing but what is false, my Lord.

Inq. Well, but you have forgot, *Isaac*.

Mart. No, my Lord, I have nothing else to think of; and I do think that these are very insignificant Articles to alledge against me, if they were as they say; but they are false, and I believe they are scandalous People that have invented them.

Inq. Hold your Tongue; how durst you speak so?

Mart. It is very well my Lord: Let your Secretary write down any thing; what you please; it is all false.

22 *Acc.* That living at *Lisbon*, I had several Disputes about Religion; that I hid myself for fear of being taken by the *Inquisition*, as being a Jew.

Inq. Come answer, What have you to say to this Article? It is of Consequence.

Mart. My Lord, let your Secretary write down what you please: I have nothing to answer to such scandalous Reports. God knows, that I am no Jew, and your Lordship knows it very well. The Devil has invented this to frighten me; but God, that knows every thing, will revenge my Cause.

Inq. Well, but *Isaac*, you see what they write against you, and all your Family's Names are ancient, and of the *Mosaical* Law.

Mart. My Lord, you have oftentimes reflected upon my Name being *Isaac*, and my Son's Name being *Abraham*; but you don't talk of a Child that I buried at *Malaga*, whose Name was *Peter*, and one that I have, whose Name is *Bernard*; they are Saints Names.

Inq. Those are all Christian Names.

Mart. And so are the others, my Lord: We don't mind whether we give our Children Names out of the Old or New Testament. Besides, my Lord, neither *Abraham*, nor *Isaac*, nor *Jacob* were Jews.

Inq. Yes, they were Jews: Sure you are mistaken.

Mart. I beg your Lordship's Pardon, I am not mistaken.

Inq.

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Inq. What were they then? Let us hear.

Mart. My Lord, they were *Hebrews*; they lived under the Law of Nature, as God inspired and spoke to them, but were dead many hundred Years before God had given his Laws to *Moses*.

Inq. Hold your Tongue: Methinks you understand something of the *Mosaicall* Laws.

Mart. My Lord, thank God, I understand some of the Old and some of the New Law, but not so much as I should. We have always the Old and the New Testament in our Families, and we read in them to instruct us in our Religion.

Inq. Hold your Tongue; you give a wrong Sense to Scripture. Your knowing so much has brought you here. You had better know less, and believe the true Faith.

Mart. My Lord, I hope to be saved in what I believe: And if at *Lisbon* I was disputing of Religion, it was not defending the Laws of *Moses*. For several *Jews* were burnt whilst I was there. Therefore, my Lord, it proves that the Accusation is false, and that I would not run such Hazards.

23 *Acc.* That I bred Schisms among the People, persuading them to turn Hereticks, and to leave the Church of *Rome*, out of which no Man can be saved.

Mart. I wish your Lordship, or any Body else, would tell me whom I persuaded to change their Religion. You may accuse me of any Thing: Hell can't invent greater Lies. I can't think, my Lord, who could have sent such Accusations against me. When I talked of Religion, it was generally with Clergymen, and not with common People; for I knew that they are not allowed to talk of Religion, and they are not capable of it, and know but little of the Matter.

Inq. They know enough; it is believing that saves us; and you won't believe, but deny almost every Article. Hold your Tongue.

24 *Acc.* That my Name being *Isaac*, and my Son's Name *Abraham*, I must be a *Jew*, or related to *Jews*.

Mart. My Lord, I have sufficiently answered upon this Matter; this is nothing but Repetitions. The *Roman* Catholicks, which are in *Holland* and *Flanders*, don't much mind whether their Children have Names out of the Old or New Testament. And I know a Man at *Malaga*, who is a *Flanderkin*, and a *Roman* Catholick, whose Name is *Jacob*. As for my Parents, I never knew any of them *Jews*; let your Secretary write what you please.

25 *Acc.*

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25 *Acc.* That I had offered to dispose of my House, and to retire for fear of being taken up by the Inquisition.

Mart. My Lord, it is true, that I offered to dispose of my House; but not for Fear of the Inquisition; for I never thought that they had any Thing to do with *English* Protestants. If I had been afraid of it, I would not have come to live in the Country. I had Opportunities enough, to go aboard of *English* Ships, and retire, if I had been afraid.

Inq. What, then you thought the Inquisition had nothing to do with *English* Protestants? You are mistaken.

Mart. My Lord, I see I am, to my Sorrow.

Inq. What did you design to do, after that you had disposed of your House?

Mart. My Lord, to go to my own Country, for I was tir'd of living abroad, especially at *Malaga*; where I could have no rest, but was daily affronted upon the Account of my Religion.

Inq. You have a Tongue, that you made use of to defend yourself.

Mart. My Lord, I could not always bear their Insolences; but I find they have accomplished their Design.

Inq. Well, hold your Tongue; you may help yourself still, if you will.

26 *Acc.* That you was always making Game of the Religion of the Church of Rome.

Inq. Well, what have you to say to that?

Mart. My Lord, I don't deny, that being in Company with some *Roman* Catholicks, as they made Game of my Religion, I made Game of theirs; but it was joking, and not in a prophane Way.

Inq. Religion ought not to be mocked.

Mart. It is very true, my Lord; but I never scandalized them, as they did me, upon the Account of my Religion.

Inq. So, you say, that when they made Game of your Religion, you made Game of theirs; is not that what you say?

Mart. Yes, my Lord.

Inq. Well, hold your Tongue; you are a sly Man, you give what Turn you please to Things, and deny almost every Thing. You will repent of this, if you don't take care, we have Ways to make People confess when they won't sign these Papers, which are the Articles you have confess'd and what you deny. But I won't believe you. I have heard of you a long while ago, and know now that you are a cunning pernicious Man against the holy Catholick Faith.

Mart.

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Mart. My Lord, I find that all my Defences signify nothing. You have oftentimes bid me defend my Cause, and when I would have defended it, you have often bid me hold my Tongue, for you wont believe what I say. I have declared the Truth to the best of my Knowledge, do with me what you please. I hope God will deliver me from the Misery I am in. He knows that I have confes'd the Truth, and your Lordship knows it very well too.

Ing. Hold your Tongue and say no more. [*In comes the Lawyer, and sits down. My Lord speaks.*]

Ing. Well, Signior Lawyer, I have examin'd this Heretick again; he answers much as he did before; but denies almost all the new Articles. I hope you writ to *Malaga*, that there might be an exact Account taken of his Life and Conversation during the Time he lived there.

Law. Yes, my Lord, I did.

Ing. He has been brought up in Herefy, I believe we shall make nothing of him: He follows the Steps of *Luther* and *Calvin*, who are burning in Hell-Fire, with abundance of their Followers.

Mart. I hope not, my Lord.

Ing. Hold your Tongue, they are; and every Body that don't believe in the holy Church of *Rome*. Are not you sorry for what you have said, during your living at *Malaga*?

Mart. My Lord, in what I have said amiss, I am sorry for it. Pray tell me, my Lord, if the People that have accused me, are all upon their Oath.

Ing. Most of them are; they would not say a Thing that is not.

Mart. My Lord, it is very well; God is just, and he will be even with them.

Ing. Well, hold your Tongue; you beg Pardon of this Holy Tribunal, for what you are guilty of, and desire to be used with that Mercy and Clemency, as is accustomed in this Holy Office. Is not that what you mean?

Mart. Yes, my Lord, what you please. [*He shakes his Head, and says, I wish that may do; get you gone to your Dungeon.*]

By that Time I had been there four Months, I had had fifteen Audiences: Some lasted half an Hour, some an Hour, and some above two Hours, full of Repetitions. Sometimes he used to speak very smoothly to me, and sometimes very roughly, threatening oftentimes to punish me; and always giving me to understand, in a crafty jesuitical Way of speaking, that if I would change my Religion, I might easily get out of my Troubles.

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Troubles. It made me very uneasy to see what he aim'd at; but, I thank God, it had no Effect upon me; tho' I must confess, that the Flesh being weak, and he frightening me, sometimes I was in Suspence, whether I should change my Religion or no; but I still prayed to God, to give me Strength to overcome all my Troubles, and to go through those Pains wherewith I was threatened, without renouncing the Protestant Religion, which in his great Mercy he had enlighten'd me withal.

On *Whitsun-Eve* I was shaved against my Will; for you must be shaved three Times a Year, whether you will or no, but no oftener. *Don Fernando* gave me a Piece of Frankincense to put in the Fire; bid me clean my Dungeon, and dress myself very clean, to receive a Visit from the Lords of the Inquisition, who came a little while after. There were two of them and a Secretary. The head Lord, who had examin'd me, spoke to me thus:

Inq. Well, *Isaac*, how do you? You look very well in Health. Can I serve you in any Thing, tell me?

Mart. My Lord, I am, I thank God, well in Health; but very much troubled in Mind, to be detain'd here so long from my Family. Your Lordship has done examining of me; I beg you would dispatch me out of this Misery that I am in.

Inq. I will do you all the Service I can; but you must do what you can to serve yourself.

Mart. My Lord, I don't know what to do; I would do any Thing to get out of this Misery; I am almost in Despair. Your Lordship told me that I should have a Lawyer to defend my Cause.

Inq. So you have had one, *Isaac*, did you not see him?

Mart. My Lord, there was a Man that you called a Lawyer; but he never spoke to me, nor I to him. If all your Lawyers are so quiet in this Country, they are the quietest that are in the World; for he hardly said any Thing, but Yea, and Nay, to what your Lordship said.

Inq. Hold, *Isaac*, the Lawyers are not allow'd to speak here. He has writ to *Malaga* for you, and has done what should be done in your Case. You don't understand this Way of Justice.

Mart. It is very true, I don't understand it at all. [*The Secretary, and the Goal-Keeper, were forc'd to go out of the Dungeon to laugh; and the two Lords smil'd to hear me talk as I did; and I scarce knew how to keep my Countenance, to think what a Lawyer I had to defend my Cause, who was not allow'd to speak to me, nor I to him.*]

Inq.

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Inq. *Isaac*, you know what Day it is To-morrow. I would have you think of enlightening yourself in the holy Faith; this is a proper Time, and I believe it would facilitate your getting your Liberty.

Mart. My Lord, if I had no Light of Divinity, or Religion, before I came here, I could get none where I am; for I am lock'd up without seeing any Body to speak to, neither have I any Books to read to instruct me; I hardly have Day-light, to eat what little Victuals are allow'd me.

2d Inq. If you will, you shall have a Jesuit to enlighten you.

Mart. You may send one if you please, but I believe it will signify nothing.

1st Inq. No, it must come from himself; it signifies nothing to send him any Body.

Mart. My Lord, I hope you allow that the holy Scriptures are perfect.

Inq. Yes, I do, *Isaac*.

Mart. My Lord, I believe in them, and believe they are sufficient to save my Soul.

Inq. There are other Things that you must believe, besides Scripture, that are revealed to the holy Church.

Mart. My Lord, I have been brought here for defending my Religion; if your Lordship would give me Leave to speak, I could, by Scripture, prove to you, that it is sufficient to believe in it; but I durst not.

Inq. Well *Isaac*, hold your Tongue; it is no matter. You must pray to God, to enlighten you in the holy Faith.

Mart. So I do, my Lord, and hope he will deliver me out of my Troubles.

Inq. It is for your Good that we admonish you. It is Time for you to take Care of your Soul. It is a Pity, that such a Man as you have been brought up in Heresy. We would have you consider upon it, for your own Good, and it would be a great Help to get out of your Troubles.

Mart. I thank your Lordship for your Advice. I gave you, at first, a short Account of my Religion. I hope that God will save me in the Belief I am in. I beg your Lordship's Pardon, I cannot change.

2d Inq. You must forget what you know, and believe what we say; and that is your only Way to get out of your Troubles.

Mart. I beg your Lordship's Pardon; I am too old to forget what I know.

Inq. Well, think upon what we have said to you, it is for your own Good.

Mart. It is very well, my Lord.

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Inq. I will do you all the Service I can; but you must do what you can to serve yourself.

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Inq. Yes, I do, *Isaac*.

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Inq. There are other Things that you must believe, besides Scripture, that are revealed to the holy Church.

Mart. My Lord, I have been brought here for defending my Religion; if your Lordship would give me Leave to speak, I could, by Scripture, prove to you, that it is sufficient to believe in it; but I durst not.

Inq. Well *Isaac*, hold your Tongue; it is no matter. You must pray to God, to enlighten you in the holy Faith.

Mart. So I do, my Lord, and hope he will deliver me out of my Troubles.

Inq. It is for your Good that we admonish you. It is Time for you to take Care of your Soul. It is a Pity, that such a Man as you have been brought up in Heresy. We would have you consider upon it, for your own Good, and it would be a great Help to get out of your Troubles.

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Mart. I beg your Lordship's Pardon; I am too old to forget what I know.

Inq. Well, think upon what we have said to you, it is for your own Good.

Mart. It is very well, my Lord.

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Inq. Farewel.

And so the Door was shut; and I was as likely to get out as the first Day, which made me very uneasy in my Mind.

About a Fortnight after, *Don Fernando* and *Don Baltazar*, the two Goal-Keepers, came and told me, that I must remove, and go to another Dungeon. I begg'd of them to let me remain where I was; but it signify'd nothing; for they told me, the Lords had given them Orders. When I came to my new Dungeon, I thought myself better than before; for I had more Light, and could hear some Dogs bark, and Cocks crow, which was a great Satisfaction to me, and I did not hear those bitter Groans and Cries of Prisoners, as I us'd to do sometimes. What they did to them God knows, but I believe they gave them the Torment; for it is frequent in that holy Place, as they call it. Women with sucking Children I could often hear cry and lament. But I had not been there above three or four Days, but I wish'd my self in my old Dungeon; for I was so tormented with Bugs, that I could not sleep at Nights; so that I slept in the Day, as well as I could. I complain'd to *Don Fernando*; but he told me, he could not help me, and that I must have Patience. Some time after, *Don Baltazar* came, and bid me empty a Basen of the Prisoners, which I refus'd, and we had high Words about it: But *Don Fernando* came, and told me, that I must do it; and that if the King was there, he should do it. I made no Resistance; for I found it was in vain, and that it was to plague me, that they had moved my Dungeon. But I said, I would make my Complaint to my Lords, when I should see them; but I was immediately sent for, and my Lord reprimanded me, for refusing to do such a Thing at the first Bidding. I told his Lordship, that I did not know he had given such Orders, begg'd his Pardon, and said if he pleas'd, I would empty them for all the Prisoners. He said there was no Occasion for that, and bid me be gone: But emptying of Basens did not last long; for when I had emptied my own, I us'd to ask the Goal-keeper, whether he had no Basens for me to empty; who, finding that I was so forward, would let me empty no more.

Some time after, *Don Fernando* spied a little Hole, that the Mice had made in the Wall, and the Light came through. He went and acquainted my Lord with it, who came in a great Passion, call'd me all to naught, and told me, that I had made that Hole, that I was a Rogue by Profession, and that I should pay for all my Doings. I begg'd his Lordship's Pardon, and told him, that he might call me what he pleas'd; and that

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he knew very well, that I could not make such a Hole; for I had nothing to make it with.

One Day I met *Don Joseph Equarez*, the third Inquisitor, at the Turn where they give their Allowance. He asked me how I did, as they always do. I told him, that I was in Health, thank God; but was very much surprized to be detained so long in Prison from my Family; that the Law of Christ was a Law of Compassion, and merciful, and that it was very hard to be served as I was. I had no sooner spoke these Words, but he fell in a Rage; bidding me hold my Tongue, and mind where I was, and not talk of Religion; and that if ever he heard me talk so again, he knew what to do with me; that there was nothing practis'd, but the Religion of Christ and Mercifulness, in the *Inquisition*; and how durst I complain against it. I humbly begg'd his Pardon, telling him, that if I had said amiss, it was for Want of knowing better, and that I was sorry for it. I then went to my Dungeon, glad I got off so; for he was in a terrible Passion, and I was very much afraid of him.

I asked *Don Fernando* some time after, what made him fall into such a Passion? He told me, that he had Reason, and that I must never contradict them in what they say, nor talk of Religion; for they knew what they did, and were infallible.

One Day, *Don Fernando* softly unawares open'd the Door, and found me in Tears, which happen'd very often at those Times, deploring my hard Fate, and praying to God, to deliver me from those Enemies of the Church I was brought up in, and send me and my Family into my native Country. He asked me, what was the Matter? I told him, that I had been a praying to God, to deliver me from the Misery I was in. He told me, I did not pray to the right God, pitied my Condition, and went away.

After I had been there six and twenty Weeks, *Don Baltazar* came to me, and bid me dress my self quickly. I was no sooner out of my Dungeon, but he tied a Handkerchief about my Eyes. I asked him, what that was for? He told me it must be so; and as he was leading me along by the Hand, I remember'd what the old Inquisitor had told me, that there were Torments to make People confess the Truth, and how often he had threatened me, and thought it was now going to be put in Execution, which terrified me very much; but I still trusted that God would give me Strength, to withstand their Torments.

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Coming to a Place where there are Gags, that they gag the Prisoners with when they torture them, to prevent their making a Noise, I heard a Voice that bid me stop and pull off my Clothes.

As I was a pulling them off, I heard another say, keep your Coat and Waistcoat on, put down your Breeches, and pull out your Member; which accordingly I did, and they took hold of it, and it was twice examined by several Examiners; for I could hear several Voices, but could see no Body. They concluded I was not circumcised; bid me put my Breeches up and be gone. *Don Baltazar* led me back to my Dungeon, and glad I was to get off so; for I confess I was very much afraid of being tortured, nor did I like such Audiences.

When I came to my Dungeon, I asked *Don Baltazar*, if that was their Way of dispatching of People; That they might, at my first coming, have seen whether I was circumcised, without staying six and twenty Weeks. He fell a laughing, told me my Case went on very briskly, and so shut the Door.

About a Month after, one *Sunday* Morning *Don Fernando* told me, that I must get my self ready; for I must go out of Goal, and return to my Family. Perceiving that he smil'd, I thought he jested, and desir'd him not to jeer me in my Afflictions; but speaking seriously to me, he told me that the Barber would come presently, and that I must appear before the Lords, and a great many Gentlemen.

I can't express the Joy I was in to hear such News. I fell a trembling and weeping for Joy, so that for a while I could not put on my Clothes; but recovering a little, I dress'd my self, and gave God hearty Thanks, that it had pleased him to hear my Prayers.

Some time after being shav'd, they came for me; but made me go bare-headed. *Don Baltazar* bid me not be afraid; for they would do me no harm. I was very joyful, and told him, I was afraid of nothing; so I could but get out of the Place where I was; for had they given me my Choice, to go to the Gallies, or to stay in that dismal Solitude, I would have chosen the Gallies, where I might have seen and spoken with a Fellow-Creature.

When I came into the Audience Room, I found it full of People, dress'd in ceremonial Robes, some with white Wands, and others with Halberts. Two Men immediately seiz'd me, and made me kneel down before *Don Joseph Equarez*. At the same Time, a Rope was put about my Neck, which surprized me very much. *Don Joseph Equarez*, as I was kneeling down before him, spoke these Words to me.

Your

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Your Cause has been seen and examined; go along with those Gentlemen: You soon shall be released.

They were about forty that led me thro' the Streets, and then to a Church. They plac'd me at the great Altar, fronting the Pulpit, where a Priest or a Jesuit came with a great many Writings in his Hand, containing my Accusations, which he read to the People; but little or nothing of the Defence I had made; but that I denied almost every Thing, and that the holy *Inquisition* had done what she could, in admonishing me to embrace the holy Faith of the Church of *Rome*, without which no Man can be saved; but I was such a pernicious Heretick, that I would not hearken to the Salvation of my Soul, and that the *holy Tribunal* had found me a great Enemy to the holy Faith. Then he declares, *That for these Crimes of which he stands convicted, the Lords of the holy Office have order'd him to be banish'd out of our Christian Dominions, upon Pain of two Hundred Lashes, and Five Years Gallies, if ever he returns into any of our Christian Parts; and have given Orders, that he shall receive Two Hundred Lashes, thro' the common Streets of this City.*

After he had done reading to the People what he pleas'd, for there were a great many Lies in what he read, I was remanded back to my Dungeon.

At Night, when *Don Baltazar* came to light my Lamp, I asked him, whether I must receive the two Hundred Lashes that the Priest had spoke of? He told me, that the Lords were very merciful, and he believ'd that I might escape them, if I would change my Religion. I told him, that since I had endured so much, their Lordships might do what they pleas'd, I would not change. Then he told me, that I might change, and when I was at Liberty, I might live in my own Religion.

The next Morning, about Ten of the Clock, I was brought down Stairs, and as I was there, in came the Executioner with some Ropes, and a Whip. He bid me take off my Coat, Waistcoat, Wig, and Cravat. As I was taking off my Shirt, he bid me let it alone; he would manage that. He slipp'd my Body thro' the Collar, and tied it about my Waist. Then took a Rope and tied my Hands together, put another about my Neck, and led me out of the *Inquisition*, where there were numerous Crouds of People, waiting to see an *English Heretick*. I was no sooner out, but a Priest read my Sentence at the Door, as followeth.

Orders are given, from the Lords of the *holy Office* of the *Inquisition*, to give unto *Isaac Martin* Two Hundred Lashes, thro' the publick Streets: He being of the Religion of the Church of *England*, a Protestant, a Heretick,

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retick, irreverend to the Host, and to the Image of the *Virgin Mary*, and so let it be executed.

Knowing what was to be done to me, I was not so frightened as when they blind-folded me. The Sentence being read, the Executioner mounted me upon an Ass, and led me in the Streets; the People huzzaing, and crying out, *An English Heretick! Look at the English Heretick, who is no Christian!* and pelting me. The Cryer of the City walked before me, repeating aloud the Sentence that was read at the Door of the *Inquisition*, the Executioner whipping me as I went along, and a great many People on Horseback, in ceremonial Robes, with white Wands and Halberts, following of us.

As we passed along by the Market-Place, the People's pelting incommoded me very much. I thought I should be knock'd off the Ass. I spoke aloud, and ask'd them, what Country I was in? They cry'd out, *A Christian Country*. To which I replied, Those Ways are practis'd in *Barbary*, and not amongst Christians. I am a Christian as well as you are; if I have deserved to be chastised, I am in the Justice's Hands; let him do it, and not you.

A great many People of the better Sort said, that I was in the right, and the pelting ceas'd in a great Measure; and a great many would hinder others from throwing at me, and bid me have Patience. I thank'd them very kindly, and told them, Thank God I have Patience. They were surpris'd to hear me talk *Spanish*, and pitied me very much. I shall ever thank God for giving me so much Patience as I had; for I was not at all concern'd, so great was my Joy, to find that God had graciously deliver'd me out of their barbarous and cruel Hands.

The Show being over, which lasted about three Quarters of an Hour, I was brought back to the *Inquisition*. *Don Fernando* received me, and seem'd to pity my Condition. I asked him, if that was the Mercy they practis'd there; and told him, that I was very well satisfied, and that for the Sake of my Religion I was ready to receive a Thousand Lashes. My Cloaths being put on, I mounted up Stairs, and he lock'd me up in my Dungeon, where I gave God Thanks, that he had given me Strength to go through so many severe Trials; and pray'd that he would vouchsafe to deliver me from my Enemies, and send me to my native Country.

Some time after, *Don Baltazar* opened the close Door, and asked me, how I did? I told him that I was pretty well; but desir'd him to speak to the Lords, to let me have a Surgeon to bleed me; for the Weather being pretty hot, I was afraid that my Back would putrify, being very much
swell'd

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swell'd and bruise'd; for they did not whip me with a Cat of Nine Tails, but with a Scourge made of leather Thongs, three Fingers broad, and about the Thickness of the Sole of a Shoe, which draws no Blood, but bruises, and makes your Back swell very much. *Don Baltazar* told me, that he would do what he could to serve me. At Night he came, and told me, that the Lords would allow no Surgeons to bleed me. Then I desired him to get me some Brandy to wash my Back, which he accordingly did.

For several Nights, I could not lie upon my Back, for the Pain that I endured, my Body being very much bruised, by the pelting of the People. But my greatest Pain was, that they did not banish me out of their Country, but still detained me.

A Fortnight after, *Don Fernando* bid me get my Things ready, that the Carrier would come for me, and that I must appear before the Lords, before I went. I quickly was ready, and felt no Pain, hearing those Words. Some Hours after he came for me, and when I came before the Lords, they spoke to me thus:

Inq. Well, *Isaac*, how do you do?

Mart. My Lord, I am very well, thank God, considering what has pass'd, which your Lordship knows.

Inq. It is your Tongue that is the Occasion; you might avoid it if you would.

Mart. My Lord, I am very well satisfied to have suffer'd what I have. I came here with a great deal of Sorrow; but I go with a great deal of Joy.

Inq. Have you heard any Prisoners talk one to another, since you have been here, in the Night, or at any other Time?

Mart. No, my Lord, but there is an old Man in the next Dungeon to me, that speaks, and talks to himself in the Night, and sings sometimes; but I believe he has lost his Senses.

Inq. That old Man signifies nothing. You are going to *Malaga*, where you shall remain in a Goal, till you can get a-board of an Heretick Ship; and you are never to return into these Christian Kingdoms. Do you remember what was read at Church, the other Day?

Mart. My Lord, I remember it very well; and if your Lordship had not banished me, I should not have lived in a Country where I had been so us'd. I am very well satisfied my Lord.

Inq. You must before you go, take an Oath, that you shall keep the Secret, and not reveal to any Body what has happened to you in your Case.

nor

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nor what you have seen or heard, during the Time you have been here, and take Care what you say, that we hear nothing of it.

Mart. My Lord, it is very well, I will take care. [*I took my Oath.*]

Inq. What Money you have brought here shall be return'd to you, and when you come to *Malaga*, your Effects shall be returned to you.

I thank'd his Lordship very kindly; and so, Thanks be to God, we parted.

When I came down Stairs, into an Office, a Priest gave me the Money my Friend had given me, and begun to tell me, that it was a Pity such a Man as I was blind, and led away in Heresy; that I was certainly damn'd, without Remission, if I remain'd as I was; and so he run on. When I had got my Money, I made him a short Compliment; told him, that I was not blind, and that I was a Christian as well as he; but did not damn any Body; that I was forbid to talk about Religion, or else I would give him an Answer: So I made him a low Bow, and went away with the Carrier, with a great Deal of Joy.

Three Days after we arrived at *Malaga*, where I was put in a common Goal, amongst the Malefactors, with a Pair of Fetters on. The Secretary of the *Inquisition*, who was a Priest, came to see me, and ask'd me how I did? To which I replied, I was well; but thought it very hard to be us'd as I had been, and then to be put amongst the Malefactors. I desir'd him to let me speak with the Commissioner that had taken me up; but he stop'd my Mouth presently, telling me, that I could not speak with the Commissioner, that the holy *Inquisition* had been very merciful to me, and that if he heard any Complaints, I should be sent back again. I humbly begg'd his Pardon, and desir'd him to let me go aboard of some *English* Ship, that I might be gone out of the Country.

To which he answered, To be sure you must go. You are not a fit Man to live in this Christian Kingdom, I will dispatch you as soon as possible; and so went away.

My Wife, whom I had not heard of since I was taken up, came to see me. I desir'd her to go to some *French* Merchants, who were my Friends, and had great Interest with the Clergy, to speak in my Behalf, that I might go aboard of some Ship; which accordingly they did; so that the Secretary came, and bid us pay what was owing to the Goal Keeper, and then conducted me to the Water-Side, forbidding me, upon Pain of going back to the *Inquisition*, to set my Foot on Shore, or enter aboard any Ship, unless an Heretick one; for I was a dangerous Man in the holy Faith, and that he would have Spies to look over me. I made him a Compliment, and told

told him, I would observe what he said, and desired him to return my Effects to my Wife. He told me, he would see what could be done.

I went aboard of an *English* Ship, but had not been there above five or six Hours, but the Rupture happened between *England* and *Spain*, and the Ship that I was in, was taken, with many others that were there at Anchor, waiting for the Vintage, upon the Account of the Fleet under the Command of Sir *George Bing*, who destroy'd the *Spanish* Fleet near *Sicily*. I was carried with the Ship's Company, almost naked, to the Shore into a Prison, where I was put into the Stocks all that Day. One of the Mates of the Ship, who had received a Wound on Board, by one of the *Spaniards*, was carried to the Hospital, where he died of his Wounds.

The same Secretary of the *Inquisition*, who had taken me out of Goal, and sent me on Board, came to see me. He told me not to trouble myself, nor to be afraid; that I should not remain as Prisoner of War; that my Case was independent of what had happened between the two Crowns; that I should not stay in *Spain* upon any Account; that I was banish'd by the *Inquisition*, which is above the King, and was not a fit Person to live in a Christian Country. He spoke to the Prisoners, that were *Roman* Catholicks, forbidding them to have any Conversation with me; for I was a strong Heretick, and a dangerous Man. I was very glad to hear him talk as he did; for before, I was very much afraid I should be sent back to *Granada*, or on board some of their Galleys. I told him, there were some *Hamburg* Ships in the Road; and that if he pleased, I would go on board one of them. He told me, that he would soon dispatch me, and accordingly he came two Days after, making a sad Complaint, that the *English* were very bad People to use their Fleet as they had done. Then he led me to the Water-side, forbidding me, as before, to go on board of any Ship, but a Heretic one; which accordingly I observed, and was very glad to get off so.

The Ship I went abroad of, was a *Hamburg* Ship, where I stay'd about six Weeks in the Road, expecting that the Clergy would return my Effects to my Wife. But they still put her off, and at last began to threaten her; telling her, that I came off very well, and that the *Inquisition* had been very merciful to me, and bid her not be so troublesome. I asked Advice of my Friends, that used to come on board to see me; and though they were *Roman* Catholics, they said very severe things against the *Inquisition*, and told me as Friends, that I might thank God, I was so well deliver'd from their Hands: That in the same *Inquisition* they

burnt

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burnt a *French* Protestant alive, who would not change his Religion: And I have since seen and spoke with a Man, who was at *Granada* at that same Time, and saw him executed.

My Friends advised me not to let my Wife ask the Clergy for any Thing, for Fear of some other Misfortune. As they had threaten'd to take away one of my Children, which my Wife was forced to send to *England* whilst I was in the *Inquisition*, I desired her to come on Board with the rest, for Fear of the worst. They did return some small Matter, and so we came away. And they gave out, that they returned us every Thing.

Whilst I was in the *Inquisition*, the Clergy was very busy about my Family, to make them change their Religion. They sent from the Church for my Children, and finding that my Wife had sent one of them to *England*, they gave her a severe Check, asking her, how she durst send one of her Children away without their Knowledge? and told her, that I had changed, or would change my Religion; which was all the Talk at that Time at *Malaga*, as well among the Protestants as *Roman-Catholicks*. They told my Wife, that if she would change her Religion, she should have the Effects returned to her, and I should be set at Liberty: But she, remembring what I had oftentimes told her, that I would suffer Death before I would change, desired them to excuse her, and that when she should see me, she would resolve them; but not before. Then they attacked the Children, and they said, they would do as their Mother did.

Some Time before I got out, there was a great Noise spread, that my Picture was to be burnt upon the Market-place at *Malaga*, and that my Body was also to be burnt at *Granada*; which frightened my Wife very much. But some good People assured her of the contrary, and told her what would happen to me, and that she should see me in a few Days, which happened accordingly, after I had been eight Months in their Hands. God grant that these happy Kingdoms may never feel the dismal Effects of Popish Government, and arbitrary Power.

Several worthy Bishops and Clergymen having advised me to publish this Narrative, the Experience I have had of their Charity and Liberality, obliged me to follow their Advice. And as I am illiterate, I hope the Reader will have the Goodness to excuse the Faults, as to the Method and Style, and to accept the following Certificates, for a Conclusion.

The Gentlemen who gave me the first Certificate, were most of them upon the Spot when my Misfortune happened to me. But the Reader will

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will excuse me, if, according to their Desire, I avoid putting their Names in Print; which might probably involve them, if they should remain there, in as troublesome an Affair as I have already had with the Inquisition.

WE the under-written, certify by these Presents, To all whom it shall, or may concern, That Mr. Isaac Martin has lived amongst us during the Space of Four Years in the British Factory of Malaga, in the Kingdom of Andalusia in Spain; during which Time, he and Family have lived in good Repute and Credit, as a true British Subject, well-affected to the Protestant Religion, his King, and Country; having, to our Knowledge, defended the same at divers Times, when attacked, against the Spanish and Irish Priests and Inhabitants that dwell there, which are very pernicious and disaffected People, against this present happy Government, which caused them all to ruin the said Mr. Isaac Martin, by having him taken up, and put into the Inquisition; which they effected, by breaking down the Door, at Nine of the Clock at Night, being about Fifteen or Sixteen Priests and Familiars in Arms, who seized him, and turned his Wife and Children out of Doors, plundered and ransack'd his House of every Thing, put two Pair of Fetters on him, mounted him upon a Mule, and so sent him to Granada in the Inquisition, where he remained Eight Months in a Dungeon, and suffered very much, until it pleased God to bring him out, at the Instances of his most gracious Majesty King George. The Truth of which is hereby attested and signed at London, the 21st Day of January, in the Year of our LORD, 1719-20.

BEING assured, by the Right Honourable Mr. Secretary Craggs, that Mr. Isaac Martin was put into the Inquisition in Spain, where he suffered great Cruelties, and was set at Liberty, by the King's Interposition; and having seen a Certificate, signed by several other Persons of good Credit, attesting the Losses he thereby sustained, upon the Account of his Religion: We do think him a great Object of Charity, and as such recommend him to the Compassion of those to whom he may apply for Relief.

W. Cant.

Jo. Wigorn.

J. Asaph.

W. Ebor.

C. Norwich.

Edm. Lincoln.

Joh. London.

W. Sarum.

Hu. Bristol.

Jonat. Winchest.

Tho. Cicestrensis.

Benj. Bangor.

W. Ely.

Fr. Roffen.

Joh. Peterbor.

Q q q 2

R E L A-

RELATION XI.

The Execution of a general Act of Faith at Madrid, in 1680; extracted from a Pamphlet published there the same Year.

THE general Acts of the Inquisition, which in all other Countries are considered only as a mere Execution of Criminals; are, in the Places where it is established, looked upon as a religious Ceremony, in which they pretend the most illustrious and public Proofs of a religious Zeal are given; and are therefore call'd *Acts of Faith*. These are generally exhibited in *Spain* at the Accession of their Monarchs to the Throne, at their Coming to Age, upon their Marriage, at the Birth of a Successor to the Crown, in order to give them a more solemn Air. The last was solemnized the Year his Catholic Majesty *Charles II.* was married, before which there had not been one ever since 1632, viz. in the Beginning of the Reign of *Philip IV.*

But as there are always Persons condemned from Time to Time, we thence may judge how many Years these unhappy Wretches spend in the most miserable Manner before their Execution. And as the Ceremonies practised on these Occasions are pretty near the same in all Places, I shall therefore relate only those of the last Act or general Execution of the Inquisition, the Year that *Charles II.* of *Spain* was married.

A Month before the general Execution, the Officers of the Inquisition, preceded by their Standard, rode with great Solemnity from the Palace of the Holy Office to the open Square, where, in the Presence of a numberless Multitude of People therein assembled, they proclaimed, by Sound of Trumpets and Kettle-Drums, that on that Day Month an Act of Faith, or general Execution of the Inquisition, would be exhibited.

As there had not been one for fifty Years before, great Preparations were made to make these Ceremonies as solemn and magnificent as possible.

A Scaffold fifty Foot in length was erected in the large Square at *Madrid*, which was raised to the same Height with the Balcony made for the King to sit in. At the End, and along the whole Breadth of this Scaffold, at the Right of the King's Balcony, an Amphitheatre was raised, to which they ascended by twenty five or thirty Steps; and this was appointed for the Council of the Inquisition, and the other Councils of *Spain*. Above these Steps, and under a Canopy, the Great Inquisitor's Rostrum was placed, that he was raised much higher than the King's Balcony.

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Balcony. At the Left of the Scaffold and the Balcony, a second Amphitheatre was raised of the same Extent with the former, for the Criminals to stand in.

In the midst of the great Scaffold, another very small one was built, in the Shape of a long Square, which supported two little Places made like Cages, and open at Top, wherein the Prisoners were to be placed while Sentence was pronounced upon them.

Three Pulpits were also erected on the great Scaffold, two whereof were for the Relaters, or those who read the Sentence, and the third for a Preacher; and, lastly, an Altar was raised not far from the Amphitheatre, where the several Councils sat.

The Seats on which their Catholic Majesties sat, were ranged in such a Manner, that the Queen was at the King's Left-Hand, and at the Right of the Queen-Mother. The rest of the whole length of the Balcony on each Side, was fill'd with the Ladies of Honour of both the Queens. Balconies were likewise erected for the Ambassadors, the Lords and Ladies of the Court, and Scaffolds for the People.

A Month after Proclamation had been made of the Act of Faith, the Ceremony opened with a Procession, which proceeded from St. Mary's Church in the following Order. The March was preceded by an hundred Coal-Merchants, all armed with Pikes and Muskets; these People furnishing the Wood with which the Criminals are burnt. They were follow'd by *Dominicans*, before whom a white Cross was carried. Then came the Duke of *Medina-Celi*, carrying the Standard of the Inquisition, a Privilege hereditary in his Family. The Standard is of red Damask, on one Side of which is represented a drawn Sword in a Crown of Laurels, and the Arms of *Spain* on the other.

Afterwards was brought forward a green Cross covered with black Crape, which was followed by several Grandees and other Persons of Quality, Familiars of the Inquisition, with Clokes powdered with white and black Crosses, edged with Gold Wire. The March was closed by fifty Halbardiers, or Guards belonging to the Inquisition, clothed with black and white Garments, and commanded by the Marquis of *Pouar*, hereditary Protector of the Inquisition in the Kingdom of *Toledo*.

The Procession having marched in this Order before the Palace, proceeded afterwards to the Square, when the Standard and the green Cross were placed on the Scaffold, where none but the *Dominicans* stayed, the rest being retired. These Friars spent part of the Night in singing of Psalms,

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Psalms, and several Masses were celebrated on the Altar from Day-break to Six in the Morning.

An Hour after, the King and Queen of *Spain*, the Queen-Mother, and all the Ladies, appear'd in the Balconies.

At Eight a-Clock the Procession began, in like Manner as the Day before, with the Company of Coal-Merchants, who place themselves on the Left of the King's Balcony, his Guards standing on his Right. Afterwards came thirty Men carrying Images made of Paste-board, as big as the Life. Some of these represented those who were dead in Prison, whose Bones were also brought in Trunks, with Flames painted round them; and the rest of the Figures represented those, who having escaped out of the Hands of the Inquisition, were outlawed. These Figures were placed at one End of the Amphitheatre.

After these came twelve Men and Women with Ropes about their Necks, and Torches in their Hands, with *Carocas*, or Paste-board Caps, three Foot high, on which their Crimes were either written or represented in different Manners.

These were followed by fifty others, having Torches also in their Hands, and clothed with a yellow San-benito, or Great-Coat without Sleeves, with a large St. *Andrew's* Cross, of a red Colour, before and behind. These were *Jews*, who, (this being the first Time of their Imprisonment) had repented of their Crimes; these are usually condemned either to some Years Imprisonment, or to wear the San-benito; each Criminal of the two Orders were led by two Familiars of the Inquisition.

Next came twenty *Jews* of both Sexes, who had relapsed thrice into their former Errors, and were condemned to the Flames. Those who had given some Tokens of Repentance, were to be strangled before they were burnt, according to the usual Practice; but the rest, for having persisted obstinately in their Errors, were to be burnt alive. These wore Linen San-benito's, having Devils and Flames painted on them, and Caps after the same Manner: Five or six among them, who were more obstinate than the rest, were gagged, to prevent their uttering any blasphemous Tenets.

Such as were condemned to die, were surrounded, besides the two Familiars, with four or five Monks of different Orders, who were preparing them for Death as they went along.

These Criminals passed in the Order above-mentioned, under the King of *Spain's* Balcony; and after having walked round the Scaffold, were placed

placed in the Amphitheatre that stood to the Left, and each of them surrounded with the Familiars and Monks who had attended upon them. Some of the Grandees who were Familiars, seated themselves on two Benches, which had been prepared for them at the lowest Part of the other Amphitheatre.

The Clergy of *St. Martin's* Parish coming forwards, placed themselves near the Altar; the Officers of the supreme Councils of the Inquisition, the Inquisitors, the Qualificators, the Officers of all the other Councils, and several other Persons of Distinction both Secular and Regular, all of them on Horse-back, with great Solemnity arrived afterwards, and placed themselves on the Amphitheatre towards the Right-Hand, on both Sides the Rostrum, in which the Grand Inquisitor was to seat himself. He himself came last of all, in a purple Habit, accompanied by the President of the Council of *Castile*; when being seated in his Place, the President withdrew.

Then they began to celebrate Mass, in the midst of which the Priest who officiated went down from the Altar, and seated himself in a Chair which had been placed for him. The Grand Inquisitor came down from his Seat, and having put on his Cope, and set the Mitre on his Head, after having saluted the Altar, he advanced towards the King's Balcony: He there went up the Steps that stood at the End of the Amphitheatre, together with certain Officers of the Inquisition, who carried thither their Cross, the Gospels, and a Book containing the Oath by which the Kings of *Spain* oblige themselves to protect the Catholic Faith, to extirpate Heresies, and to support all the Prosecutions of the Inquisition to the utmost of their Power.

The King of *Spain*, standing up, and bareheaded, having on one Side of him a Grandee of *Spain* holding the Royal Sword with the Point upward, swore to observe the Oath; which a Counsellor of the Royal Council, and that of the Inquisition, had just before read. He continued in this Posture till such Time as the Grand Inquisitor was returned back to his Seat, where he took off his Pontifical Vestments.

Then one of the Secretaries of the Inquisition ascended a Pulpit appointed for that Purpose, and read an Oath in the same Tenor, which he administered to the several Councils, and the whole Assembly; after which a Dominican went up into the same Pulpit, and preached a Sermon stuffed with Praises of the Inquisition.

About Twelve a-Clock they began to read the Sentences of the condemned Criminals. That of the Criminals who died in Prison, or were outlawed,

outlawed, was first read. Their Figures in Pasteboard were carried up on the little Scaffold, and put into the Cages. Then they went on to read the Sentence to each Criminal, who thereupon were put into the said Cages one by one, in order for all Men to know them.

Of these twenty Persons who had been condemned to the Flames, six Men and two Women could never be prevailed with to confess, or repent of their Errors. A young Woman was remanded back to Prison, because she had always made the utmost Protestations of her Innocence, and that they thought proper to re-examine her Prosecution.

Lastly, they read the Sentences which had been pronounced against those who were convicted of Bigamy, of Witchcraft, of having profaned holy Things, and of several other Crimes; as likewise against the penitent *Jews*: All which lasted till Nine at Night.

After this they finished the Celebration of the Mass, and the Grand Inquisitor, clothed in his Pontifical Vestments, pronounced a solemn Absolution to all who should repent. Then the King being withdrawn, the Criminals who had been condemned to be burnt, were delivered over to the secular Arm, and being mounted upon Asses were carried in this Manner through the Gate called *Foncaral*. At three hundred Paces Distance from it, they were executed after Midnight: Those who persisted obstinately in their Errors were burnt alive; but such as repented were strangled before they were thrown into the Fire. Those who had been sentenced to be whipt, being also mounted on Asses, were the next Day carried up and down the Streets, and were whipt thro' all the chief Streets and Places of public Resort.

Besides these general Executions of the Inquisition, there are several other private ones yearly about the End of *Lent*. The Inquisitors on these Occasions are accompanied by the Magistrates, the Officers of Justice, and those of the King; by the Governor, the Nobility, the Bishop, and the whole Body of the Clergy both secular and regular; and the whole is performed almost with the same Ceremonies.

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RELATION XII.

Some Account of the Inquisition at Goa, and the Sufferings of M. Dellon, extracted from the Writings of that Author.

THERE are four Inquisitions in the whole Extent of the Portuguese Dominions, viz. in Portugal those of Lisbon, Coimbra, and Evora; and that of Goa, in the East-Indies. These Tribunals are all sovereign, and have no Appeal from them. The Jurisdiction of that at Goa, extends over the several Countries possessed by the King of Portugal, on the other Side the Cape of Good-Hope. Besides these four Tribunals, there is also the great Council of the Inquisition, in which the Inquisitor-General presides. This Tribunal is the principal, and it is made acquainted with whatever is done in all other Places. Besides the Honour, the unbounded Authority, and the Salaries annexed to the Inquisitors, there are also two Circumstances that are vastly beneficial to them. The first is, whenever they expose the Effects of any Prisoner to Sale by Auction, if there is any precious Jewel, or any such Thing among them, which they are desirous of, they have no more to do but to send one of their Servants to bid, and no-body will presume to out-bid them; by which means they often purchase very valuable Things for a Trifle. The second Method by which they make a great Advantage is, that as the Sums arising from the Confiscations are put into the King's Treasury, they are empower'd to draw a Warrant upon it for whatsoever Sums, and at what Time soever they please, to defray the Expences and private Exigencies of the Inquisition. This Money is paid at sight, nor does any Person presume to enquire what those private Exigencies are, by which means they get the greatest Part of the Monies arising from Confiscations.

The King nominates all the Inquisitors, who are confirmed by the Pope, and from him they receive all their Bulls. The Inquisitor of Goa only assumes the Privilege of being carried in a Chair, and he is much more respected than either the Archbishop or the Viceroy. He has Jurisdiction over all Persons, both Ecclesiastical and Secular, the Archbishop, his great Vicar who is commonly a Bishop, the Viceroy, and the Governor when the Viceroy is dead, excepted. But he has the Power of arresting any of these, after having first given Notice thereof to the Court of Portugal, and received secret Orders for that Purpose from the

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supreme Council of *Lisbon*, called *Conselho Supremo*. This sovereign Tribunal meets every Fortnight except upon extraordinary Occasions, when they meet oftner; whereas the ordinary Councils meet twice every Day, viz. from Eight in the Morning till Eleven, and from Two till Four; sometimes later in the Afternoon, especially when the Acts of Faith draw near; for on those Occasions the Audience is frequently continued till after Ten at Night.

When Causes are tried, besides the *Deputados* who assist, the Archbishops or Bishops of the several Places where the Inquisition is established, have the Privilege of being present in them, and to preside in all the Sentences pronounced against them.

The Prison of the Inquisition at *Goa*, is a most dark, dirty, stinking, dreadful Place, and it's impossible for Imagination to form a worse. 'Tis called *Aljovar* by the *Portuguese*, and is a kind of Cellar, at which the Light enters only by a small Hole, into which the Sun-beams never enter. It casts a dreadful Stench; nor have the Prisoners any other Place to cast Nature in, than a great Hole like a Well, level with the Ground, and in the Midst of the Cavern; whence it is, that Part of the Filth lies round the Hole, for which Reason most of the Prisoners ease themselves in different Parts of the Cavern.

The Prisoners eat the Food of the Country. The Blacks are fed with *Ganga*, or Rice-water, Rice, and a little fry'd Fish, and the Whites have the same Food, except that they are allowed some Fruit, and a little Meat every Thursday and Sunday for their Dinners, but not a Morsel at Supper, not even on *Easter-Sunday*. This Regimen is observed both for Thinsels, and to mortify the Prisoners, who are said to have incurred the greater Excommunication, as also to prevent what the *Indians* call *Morderbi*, or an Indigestion that is but too frequent, and of the most dangerous Consequence in those sultry Climates, and particularly since the Prisoners lead such sedentary Lives.

This Distemper generally begins by a violent Fever, which is attended with Shiverings, and Purgings upwards, which are soon followed by the Death of the Patient, in case a Remedy is not speedily apply'd. There is one which is usually employ'd by the *Indians* on these Occasions, because daily Experience proves it to be a Specific, and if omitted is of the most dangerous Consequence.

Their Remedy is the applying a Piece of Iron red-hot to the Patient's Foot, at the most callous Part of the Heel. A Spit or Bar is made use of for this Purpose, which is apply'd cross-wise, and held to the

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Part above-mentioned till such Time as the Violence of the Burning forces the Patient to cry out. However, this does not put him to much Pain, nor prevent his walking about immediately after with the same Ease as before, unless he has some other Hurt. This Remedy, provided it be taken in Time, is generally infallible; and a Man, who in case had it not been applied, would have run the Hazard of his Life, is often instantaneously cured by this simple Remedy. We are to observe, that bleeding is of very dangerous Consequence in these Distempers; and that a Physician upon his first coming to the *Indies*, must take great care not to mistake on these Occasions, since it might be of the most pernicious Consequence.

Sometimes Physicians and Surgeons visit the Sick; but though a Prisoner be never so sick, neither the *Viaticum* or extreme Unction are administered to him, nor does he ever hear a Sermon or Mass.

Such as die in Prison are buried in it without the least Ceremony; and in case they are judged by the Inquisitors to have merited Death, their Bones are burnt in the next Goal-delivery or Act of Faith.

As 'tis very sultry in the *Indies*, and the Inquisitors don't allow the Prisoners to have Beds, they never have Fire, Candle, or any Light but that of the Sun. With regard to Beds, there are two Bedsteads in each Cell; because they are sometimes forced to confine two Prisoners in the same Dungeon. Besides the Mat which is allowed to every one, the *Europeans*, and Persons of some Distinction, have a Counterpane, which being doubled, serves them instead of a Mattress; but seldom have Coverlets, because of the violent Heat of the *Indian* Climate, unless it be to guard against a Kind of Gnats, whereof there are vast Quantities in these Countries, and which are inexpressibly troublesome.

The *Jews* having been driven out of Spain by *Ferdinand* King of *Arragon*, and *Isabella* Queen of *Castile*, fled to *Portugal*, where they were protected, upon Condition they would turn Christians. This they did, at least in outward Appearance; and as their very Name is odious in all Places, the Christian Families have been distinguished from the converted *Jewish* ever since that Time; insomuch that the People now call those who are descended from these in any Degree soever *Christians novos*, or new Christians: And because that in Process of Time, some of these converted *Jews* married with ancient Christians, their Posterity are every Day reproached with being partly new Christians, which in the *Portuguese* Language is *tem parte de Christian novo*. In this Manner these unhappy Wretches, though their Grandfathers and Fa-

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thers were Christians, have not yet been able to get themselves admitted among those who are called *Christiam velhos*, or old Christians. And as the Families, which are thus descended directly or partly from those *Jews*, are distinctly known in *Portugal*, and are detested and hated by the rest, they are therefore obliged to unite themselves more strongly in Friendship, in order to do reciprocal Services, which they cannot expect from old Christians; and 'tis this strict Union that increases the Hatred and Aversion of the latter, and is usually the Cause of all their Misfortunes.

'Tis therefore certain, that many Christians are put to Death merely thro' a false Accusation, and though they were but imperfectly convicted of *Judaism*: This the Inquisitors would soon find, would they but give themselves the Trouble to examine Matters coolly, and without Prejudice; and recollect that of an hundred Persons who are condemned to the Flames as *Jews*, scarce four profess that Faith in their dying Moments. The rest cry out with their latest Breath that they are Christians, have been so all their Life-time, and that they worship Christ as the sole the true God, and that their Hopes are grounded wholly on his Mercy, and the Merits of his precious Blood. But neither the Cries nor the Expostulations of those unhappy Creatures, (if we may give that Name to Persons who suffer for the sake of Truth) make the least Impression on their bloody Judges, who think, that so clear and authentic a Confession, which such a Multitude of People make of their Faith, as they go to Execution, does not merit the least Reflection; but, on the contrary, suppose that the bare Apprehension of Torments, which forces a certain Number of Witnesses to accuse innocent Persons, will alone secure them from Divine Vengeance. If so many Christians, who are branded with *Judaism*, are unjustly delivered over to the secular Arm, in all the Tribunals of the Inquisition, there is no less, or less frequent Injustice committed with regard to such as are accused of Magick or Incantation, in the *Indies*, and are thereupon condemned to the Flames. And to exhibit this clearly to the Reader, we are to observe that the Heathens, who have a great Number of superstitious Practices, in their inquiring, for instance, the Success of an Affair, or of a Fit of Sickness? whether a Person loves us? who has stole a Thing? and such like; we must, I say, observe that these Heathens can neither so well, or so soon lay aside these Things, as not frequently to use them after their Baptism. But this will not be thought so particular, if we reflect that in *France*, where the Christian Religion has been so long establish'd,

we nevertheless meet a great Number of Persons, who believe and practise impertinent Ceremonies, which so long a Series of Years has not been able to obliterate. We are farther to observe, that these lately-converted Heathens have spent the greatest Part of their Lives in the *Pagan* Religion, and that such of them as live under the *Portuguese* Government in the *Indies*, are either Subjects or Slaves, who seldom change their Religion upon any other Motive but in Hopes of being better treated by their Masters. Nevertheless such Faults, as they are committed by unlightened and ignorant Persons, ought at most to be punished with Whipping, are nevertheless expiated by Fire, in case they plead not guilty a second Time, after having confessed the first; or persist in pleading not guilty the first Time. The Inquisitors not only punish such Christians as are guilty, or are pretended to be guilty of those Crimes whereof they take Cognizance; but also *Mahometans*, Heathens, or others, of what Religion soever, who have perpetrated any one of these Crimes, or have followed their religious Worship in any of the Dominions subject to the King of *Portugal*. For notwithstanding that the King allows Liberty of Conscience, the Inquisitors interpret their Privilege in such a Manner, as to permit Foreigners to profess their respective Religions, but punish all those Persons who presume to exercise it in any Manner. And as his *Portuguese* Majesty has many more *Mahometan* and heathen Subjects, than Christian, in his Dominions in the *East-Indies*, and that the Inquisitors, who put to Death all Christians who have relapsed, never condemn such to Death as were never baptised, though they were to relapse an hundred Times into the same Guilt, and are at most punished either with Banishment, Whipping, or the Gallies; the Dread of being punished with Death, hinders great Numbers from embracing the Christian Religion. Thus the holy Office, so far from being of Advantage to the Faith in those Countries, drives People from the Church, and makes them consider it with Horror.

The perpetual Chain of Accusations, which must necessarily follow from the Particulars we have now related, and the Liberty which all Men have to impeach those against whom they may have conceived Malice, is the Occasion that the Prisons of the *Inquisition* are seldom empty. And notwithstanding there is an Act of Faith or Gaol-Delivery, every two or three Years at farthest, there are nevertheless two hundred Persons or more, tried every Sessions.

Here follows the Manner in which *Dellon* tells us he was brought to Audience, When.

When I found, says he, that I was kept a whole Day and Night in the *Aljovar*, without being examined, I began to flatter myself that I might continue in it till my Affair was concluded; but all my Hopes vanished, when an Officer of the *Inquisition* came the 16th of January at Eight in the Morning, and brought Orders for carrying us to the *Santa Casa*, which was immediately executed.

The Irons with which I was loaded, made walking very painful to me; however, we were obliged to walk on Foot thus fetter'd, from the *Aljovar* to the *Inquisition*. I was helped in going up the Stairs, when I entered with my Companions the great Hall, where several Smiths knock'd off our Irons; which being done, I was first called to Audience.

After having cross'd the Hall, I went into an Antichamber, and from thence into another Apartment, where I found my Judge. This Place is called by the *Portuguese* *Mesa do Santo Officio*, i.e. the Table or Tribunal of the Holy Office. It was hung with blue and yellow Taffety. At one End of it is a large Crucifix in Relievo, placed against the Hangings, and reaching up almost to the Cieling. In the Middle of the Chamber is a large Alcove, on which is fixed a Table near fifteen Foot long, and four over. There was also over the Alcove, two easy Chairs, and several other Seats round the Table, and at the End, on one Side of the Crucifix, was the Secretary seated on a folding Chair. I was placed at the other End, opposite to the Secretary; very near me, and at my Right-Hand was seated, in one of these easy Chairs, the great Inquisitor of the *Indies*, *Francisco Delgado e Matos*, a Secular Priest, about Forty. He was alone, because then, of the two Inquisitors who are generally in *Goa*, the second, who is always a *Dominican* Friar, was embarked for *Portugal* a little while before, and the King had not yet nominated any Person to succeed him.

At my coming into the Hall of Audience, I threw myself at the Feet of my Judge, imagining the suppliant Posture I was in would move him to Compassion; but he would not suffer me to continue in it, and therefore immediately ordered me to rise. Then having asked me my Name and my Profession, he asked me whether I knew the Reason why I had been imprisoned? whereupon he exhorted me to declare it immediately, as it was the only Means left me to recover my Liberty instantly. After having answer'd these two first Questions, I told him, that I believed I knew the Reason for my being imprisoned; and that in case he would be pleased to hear me, I would immediately accuse myself. I

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mingled Tears with my Intreaties, and thereupon I threw myself a second time at his Feet; but my Judge told me, with great Coolness, that I might take my Time, for that Matters were not urgent; that he had Affairs upon his Hands of much greater Consequence than mine; that he would give me Notice at a proper Season, when immediately he rang a little Bell for the Aleaide, or Turnkey of the Prison. This Officer came into the Hall, and conducted me to a long Gallery not far distant from it, whither we were followed by the Secretary.

Here my Trunk was brought, which was opened before me; upon which I was searched very narrowly, and every thing I had about me was taken away, to the very Buttons of my Sleeves, and a Ring which I wore on my Finger; inasmuch, that they left me nothing but my Beads, my Handkerchief, and a few Pieces of Gold which I had sewed up in a Ribbon, and were lodged between my Leg and Stocking, which they happened to overlook. A pretty exact Inventory was immediately drawn up of all the rest; but all this was of no manner of Service to me, since nothing of Value was afterwards restored to me, notwithstanding that the Secretary assured me, and the Inquisitor also, that all I had would be faithfully restored to me the Instant I should be released.

The Inventory being drawn up, the Aleaide took me by the Hand, and carried me to a Dungeon ten Foot square; where I was confined alone, nor even saw a living Soul till the Evening, when my Supper was brought me. As I had not eat any thing either that or the preceding Day, I eat what was given me very heartily, and slept much better upon it. The Turnkey coming the next Morning with my Breakfast, I desired to have my Books and Combs; but they told me, that Prisoners are never allowed to have Books, not even a Priest to have his Breviary, tho' he be obliged to repeat Divine Service; and that as for my Combs, I should not want them; and indeed, this was very true, for they immediately cut off my Hair, a Custom observed with regard to both Women and Men, tho' of the greatest Quality, the first or second Day at farthest, of their Imprisonment.

I had been told, when I was first imprison'd, that when I should want any thing, I need do no more than knock gently at the Door, in order to call the Turnkeys, or to ask for what I wanted at Meal-time: And that when I were desirous of going to the Audience, I need only address myself to the Aleaide, who, as the Turnkeys, never speaks to the Prisoners without having some Person along with him. I had also been flatter'd with the Hopes that I should be set at Liberty immediately after

after my Confession, which made me continually importune my Officers to let me be carried before my Judges; but notwithstanding all my Tears and Intreaties, I was not indulged it, till the last Day of January 1674. The Alcaide, accompanied with a Turnkey, came to me for that Purpose about Two in the Afternoon. I dressed as he ordered me, and came out of my Dungeon bare-legged and bare-footed, the Gaoler going before, and the Turnkey after me. In this Order we walked to the Gate of the Chamber where Audience is given. Here the Alcaide advancing a little forward, and making a low Bow, came out again; upon which I went in. Here I found the Inquisitor and Secretary, as before. Immediately I fell upon my Knees, but was ordered to rise and seat myself; upon which I sat down upon a Bench which was placed at the End of the Table, on the Side where the Judges sat. Just by me, and at the End of the Table, was a Mass-Book, on which I was first ordered to lay my Hand; and to promise that I would swear to the Truth, and to keep inviolable Secrecy, which are the two Oaths required of all who appear before this Tribunal, whether they come to give in their Depositions, or to receive any Orders.

I was afterwards asked, Whether I knew the Reason of my being imprisoned, and if I were resolved to declare it? To which I answered, that I was fully determined to do so. Upon which I made an exact Declaration of all I had before related with regard to Baptism and the Worship of Images; but did not mention any thing I had said with respect to the *Inquisition*, they not occurring at that time to my Memory. The Judge having again asked me, Whether I had any more to say? and being told that I could not think of any thing else; was so far from setting me at Liberty, as I had flattered myself I should be, that he concluded the Audience with these very Words:

That I had done very well to accuse myself voluntarily; and that he exhorted me in the Name of our Lord Jesus Christ, to declare immediately the Remainder of my Informations, in order that I might experience the Goodness and Mercy which that Tribunal indulges to all who prove the Sincerity of their Repentance, by a genuine and voluntary Confession.

My Declaration and the Exhortation being ended and written down, it was read to me, and I signed it; which being done, the Inquisitor rang a little Bell to call the Alcaide, who came, and carried me back to Prison in the same Order I came.

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I was carried a second time before the Judge, without my desiring it, on the 15th of *February*, which made me suppose that he intended to set me at Liberty. Being come, I was asked, Whether I had no more to say? I was exhorted not to disguise any Circumstance, but on the contrary, to make a sincere Confession of my Faults. I answered, that after a very serious Self-examination, I could not think of any fresh Particulars. I then was asked my Name, those of my Father, my Mother, Brothers, Grandfathers and Grandmothers, Godfathers and Godmothers; whether I were *Christian de oito Dias*? that is, a Christian of eight Days standing; because Children are not baptized in *Portugal* till the eighth Day after their Birth, nor are Childbed Women churched till the fortieth Day after their Lying-in, tho' they had never so easy a Delivery. The Judge seemed to be surprized, when I told him that the Custom of deferring the Baptism of Children a whole Week, was not practised in *France*; but that, on the contrary, they were always christened as soon as Convenience would permit. 'Tis pretty evident, by the Observance of these *Mosaic* Ceremonies, that notwithstanding the *Portuguese* pretend to have the *Jews* in so much Abhorrence, they yet are not so good Christians as they ought to be. But this is not the greatest Evil which flows from the Observance of these *Jewish* Institutions; for from the former, it happens but too frequently, that Children die without being regenerated by the Sacrament of Baptism, and are by that Means excluded Heaven for ever; and in order not to violate the Ceremony of Purification, which ought to cease after the Gospel-Dispensation, the *Portuguese* Women don't in the least scruple to act in Contempt to an Injunction of the Church, which obliges all Christians to assist every *Sunday*, and every Festival at the Holy Sacrifice of the Mass, unless they happened to be prevented from so doing by some lawful Cause.

I was farther asked the Name of the Person who baptized me, in what Diocese, what City; and lastly, whether I had ever been confirmed, and by what Bishop? Having answered these several Questions, I was ordered to kneel down, to make a Sign of the Cross, to repeat the *Pater-noster*, the *Ave-Maria*, the Creed, the Commandments of God and the Church, and the *Salve Regina*. In fine, he concluded as before, with exhorting me by the Bowels of *Jesus*, to confess immediately the several Crimes and Errors I had not yet revealed; which being written down, and read before me, and signed by myself, I was remanded back to Prison.

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I was carried a second time before the Judge, without my desiring it, on the 15th of *February*, which made me suppose that he intended to set me at Liberty. Being come, I was asked, Whether I had no more to say? I was exhorted not to disguise any Circumstance, but on the contrary, to make a sincere Confession of my Faults. I answered, that after a very serious Self-examination, I could not think of any fresh Particulars. I then was asked my Name, those of my Father, my Mother, Brothers, Grandfathers and Grandmothers, Godfathers and Godmothers; whether I were *Christian de oito Dias*? that is, a Christian of eight Days standing; because Children are not baptized in *Portugal* till the eighth Day after their Birth, nor are Childbed Women churched till the fortieth Day after their Lying-in, tho' they had never so easy a Delivery. The Judge seemed to be surprized, when I told him that the Custom of deferring the Baptism of Children a whole Week, was not practised in *France*; but that, on the contrary, they were always christened as soon as Conveniency would permit. 'Tis pretty evident, by the Observance of these *Mosaic* Ceremonies, that notwithstanding the *Portuguese* pretend to have the *Jews* in so much Abhorrence, they yet are not so good Christians as they ought to be. But this is not the greatest Evil which flows from the Observance of these *Jewish* Institutions; for from the former, it happens but too frequently, that Children die without being regenerated by the Sacrament of Baptism, and are by that Means excluded Heaven for ever; and in order not to violate the Ceremony of Purification, which ought to cease after the Gospel-Dispensation, the *Portuguese* Women don't in the least scruple to act in Contempt to an Injunction of the Church, which obliges all Christians to assist every *Sunday*, and every Festival at the Holy Sacrifice of the Mass, unless they happened to be prevented from so doing by some lawful Cause.

I was farther asked the Name of the Person who baptized me, in what Diocese, what City; and lastly, whether I had ever been confirmed, and by what Bishop? Having answered these several Questions, I was ordered to kneel down, to make a Sign of the Cross, to repeat the *Pater-noster*, the *Ave-Maria*, the Creed, the Commandments of God and the Church, and the *Salve Regina*. In fine, he concluded as before, with exhorting me by the Bowels of *Jesus*, to confess immediately the several Crimes and Errors I had not yet revealed; which being written down, and read before me, and signed by myself, I was remanded back to Prison.

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From the first Moment of my Confinement, I had always been in the deepest Affliction, and shed incessant Tears; but at my Return from the second Audience, I abandoned myself intirely to Grief, when I found that I was required to confess such Things as to me appeared impossible, since I could not recollect any such Circumstances as I was ordered to confess. I therefore endeavoured to starve myself; not but I took all the Sustenance that was brought me, because, in case I had refused it, I should have been beat by the Turnkeys, who always examine very carefully, upon their taking the Plates back, whether the Prisoners eat enough to support Nature; but my Despair suggested Methods to elude their Vigilance in this Particular. I spent whole Days without taking a Morfel, and used to throw part of what was given me into the Basin, to prevent its being seen. This severe Abstinence entirely prevented my sleeping, and now I did nothing but macerate my Body in this manner, and shed Floods of Tears. However, in these Days of Sorrow and Lamentation, I revolved in my Mind all the Errors of my past Life, and confessed that all my Misery was a Judgment from Heaven upon me: I even persuaded myself, that God perhaps had employ'd these severe, but salutary, Methods to call me to himself; when being a little revived and comforted with these Reflections, I sincerely implored the Assistance of the Holy Virgin, who is equally the Comforter of the Afflicted, and the Refuge and Asylum of Sinners; and indeed, I have had so visible a Demonstration of her Protection, as well during my Imprisonment, as on several other Occasions, that I cannot forbear making this publick Testimony thereof.

In fine, after having made a more exact, or more happy Recollection of all I had said or done during my Residence at *Daman*, I remembered the several Expressions I had used touching the *Inquisition* and the Integrity thereof: Upon which I immediately desired to be admitted to Audience; but this however was not granted me till the 16th of *March* following.

I made no doubt, upon my Appearance this time before the Judge, but that I should then put an End to my unhappy Affair, and after the Confession I was going to make, be immediately set at Liberty; but when I thought my Wishes upon the Point of being accomplished, I saw myself immediately fall from my most sanguine Hopes; because that when I had declared every thing I had to say with regard to the *Inquisition*, I was told, that this was not what was expected from me; and having

having nothing else to say, I was immediately remanded back, nor would they so much as write down my Confession.

Despair having prompted M. *Dellon* to make away with himself, Advice thereof was given to the Inquisitors, who ordered him to be brought to Audience; but he was so weak, that he was forced to be carried thither. I there (continues he) was laid along the Floor, my extreme Weakness not allowing me either to sit or stand.

Then the Inquisitor reproached me several times; gave Orders for my being carried away, and Handcuffs to be put upon me, to prevent my forcing off the Chains with which I was bound. This was immediately executed, and I was not only hand-cuffed, but an Iron Machine was clapt about my Neck, which held to the Hand-cuffs, and was locked with a Padlock; so that now it was impossible for me to stir my Arms. But this Treatment only exasperated me the more: I threw myself on the Ground, and struck my Head against the Floor and the Walls; and had I been bound but a little longer in that manner, I should have infallibly have got my Arms at Liberty, and should have died with it: But as I was continually watched, they found by my Actions, that Severity was very unseasonable at this time, and that it were better to employ gentle Methods.

Upon this my Irons were knocked off, Endeavours were made to comfort me with delusive Hopes, I was put into another Cell, and had again a Companion given me, who was order'd to watch me narrowly. This Prisoner was a *Black*, but much more unsociable than my former Companion. Nevertheless Heaven, who had preserved me from so great an Evil, banished the Despair which sat brooding over me, a Circumstance in which I was more happy than many others, who frequently made away with themselves in their Confinement in these Dungeons, where no Consolation is ever allowed to enter. This Companion continued about two Months with me; for as soon as I appeared to be easier in my Mind, he was taken from me, notwithstanding my Weakness was so great, that I could scarce walk from my Bed to the Door of my Cell, when Victuals were brought me. In fine, after having spent almost a Year in this manner, I was seasoned to Affliction, and Providence afterwards endued me with so much Patience, that I never made any more Attempts upon my own Life.

I had been about eighteen Months in this Confinement, when the Judges being informed that I was in a Condition to speak, sent for me the fourth time to Audience; where I was asked, Whether I was not

resolved to answer what was required of me? Having replied, that I could not recollect a single Circumstance more, the Proctor of the *Inquisition* appeared with his Declaration, in order to signify to me the several Informations which had been exhibited against me.

In all the other Examinations I had accused myself, and they were contented with hearing my Deposition without descending to Particulars, and had remanded me back to my Cell the instant I protested I had no more to declare against myself; but in this fourth Examination I was accused, and was allowed to defend myself. They read to me, in the Informations which were exhibited against me, the several things where-with I had accused myself. These Facts were true, and I had confessed them by my own proper Impulse, consequently I had nothing to object against these Facts; but then I flattered myself, that I could prove to the Judges they were not so criminal as they were thought to be. I therefore answered, with regard to what I had advanced on Baptism, that I did not any way intend to oppose the Doctrine of the Church; but that the Passage, *Nisi quis renatus fuerit ex aqua & Spiritu Sancto, non potest introire in regnum Dei*, having appeared very expresse to me, I had desired an Explication of it. The chief Inquisitor seem'd surpriz'd that I should mention a Passage that every one knows by Heart; and his Surprise rais'd my Astonishment. He asked me where that Passage was to be found? I answered in the Gospel according to St. *John*, chap. iii. ver. 5. He then ordered the New Testament to be brought, looked out the Place, read it, but did not explain it to me. However, he was very glad to inform me, that it was sufficiently explained by Tradition; because the Church has always looked upon as baptized, not only all those who died for our Lord Jesus Christ, without having received the ordinary Form of Baptism, but also those who desiring to be baptized, and repenting of their Sins, have died suddenly unbaptized.

With respect to the Worship of Images, I said I had advanced nothing but what was borrowed from the Holy Council of *Trent*, and repeated to him the Passage following, from the 25th Session, *De Invocatione Sanctorum & Sacris imaginibus; imagines Christi, Deiparæ Virginis, & aliarum Sanctorum retinendas, iisque debitum honorem, & venerationem impertiendam; ita ut per imagines, coram quibus procumbimus, Christum adoremus; & sanctos, quorum illæ similitudinem gerunt, veneremur.*

I had been about eight Months in this Confinement, when the Inquisitor General, who was in a Condition to leave, sent for me, and said, I was in a Condition to leave, but I was not yet ready to go. He then asked me, where I was not resolved to go. I answered, I was not resolved to go to the Audience. The

The Judge seem'd more surpriz'd to hear of this Quotation than he had been at my repeating the former; and looking into the Council of *Trent*, he shut the Book without explaining the Passage.

'Tis surprizing to think that Persons who are established Judges over others in Matters of Faith, should be so profoundly ignorant; and I must confess, that I could scarce believe this Circumstance myself, though I had been an Eye-witness of it, and have it perfectly fresh in my Memory, had I not found in *Tavernier's Voyages*, that how reserved soever Father *Ephraim of Nevers* may be on Matters relating to the Inquisitors, who tortured him so cruelly, he yet breaks out into the following Expression: That nothing shock'd him so much as the stupid Ignorance of those Inquisitors.

The Proctor when he read the Informations, had said, that besides what I myself had confessed, I was moreover accused and clearly convicted of having spoke with Contempt of the Inquisition and its Ministers; and of having spoke with great Disrespect of the Pope and his Authority. He concluded, that the Stubbornness I had hitherto shewn in slighting so much charitable Advice which had been given me, being a manifest Proof that I concealed very pernicious Designs, and that having designed to teach and foment Heresy, I consequently was become obnoxious to the major Excommunication; that my Goods and Charrels ought to be forfeited to the King, and myself delivered over to the Executioner in order to be consumed in the Flames.

I leave the Reader to judge the Tortures which these Conclusions of the Proctor rais'd in my Breast; notwithstanding I can truly affirm, that how dreadful soever those Words may be, yet Death would have been more welcome than Imprisonment. Thus in spite of the Terror with which I was seiz'd, I yet had Spirits enough left to answer the Accusations which were then exhibited against me, in saying that I never had harboured any sinister Intentions; that I had ever continued a true Catholick; that all those I had conversed with in *India* would vouch the Truth thereof, particularly Father *Ambrose*, and Father *Ives*, both *French Capuchins*, who had frequently heard my Confessions. I knew after I was set at Liberty that Father *Ives* was actually at *Goa*, at the very Time when I called upon his Testimony; that I had sometimes gone fifty Miles to celebrate *Easter*; that if I had been any wise inclin'd to entertain heretical Principles, I might easily have settled in those Countries in the *Indies*, where a full Liberty of speaking is allowed; and consequently, that I should not, had Matters stood thus, have settled in
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the Dominions of the King of *Portugal*; that so far from disputing against Religion, I had, on the contrary, frequently argued with Heretics in Defence of it; that indeed I remembered I had spoke with too much Freedom, when I was before the Inquisitor; but that I was greatly surprized they would impute that very Thing to me as a heinous Crime, which they had looked upon as a Trifle, when I offered to declare about a Year and a Half ago; that as to the Particulars which related to his Holiness, I could not recollect that I had expressed myself in the Manner laid to my Charge; that nevertheless, if they would please to descend to Particulars, I would sincerely confess the Truth.

Then the Inquisitor told me, that I was allowed Time to consider of those Articles which related to his Holiness; but that he could not sufficiently admire my Impudence, in affirming that I had made my Confession with regard to the Inquisition, since 'twas very certain that I had not once opened my Mouth upon that Head; and that in case I had made my Declaration upon that Article, when I said I had done it, I should not have been kept so long in Prison.

I remember'd so perfectly every Thing I had advanced, and the Answers that had been made me, and was so transported with Rage to see myself mocked in that Manner, that if I had not been immediately ordered to withdraw, upon the signing of my Deposition, it would have been impossible for me to refrain from opprobrious Expressions before the Judge: And had I had Strength and Liberty equal to the Courage with which my Passion fired me, I perhaps should have gone farther than injurious Terms.

I was called three or four Times to Audience in a Month, where I was urged to confess those Particulars I had advanced with respect to the Pope. A new Proof was then declared to me, which the Proctor pretended was drawn up against me on that Head, but which did not differ in a single Circumstance from what had before been urged against me. But a Proof that the whole was a false Accusation, and invented merely to force me to speak, is, that they would not declare to me the Particulars which they pretended I had advanced. At last, finding they could get no more out of me, they said no more; and this Article was not inserted in my Indictment, when it was read publicly in the Act of Faith.

They therefore attempted again in these last Audiences, to oblige me to confess, that in the several Facts I agreed upon, I really intended to defend

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defend Heresy; but this I was resolved never to own, since it was a Falshood.

During *November* and *December*, my Ears were wounded with the Cries of Prisoners who were put to the Torture, which is so severe that I have known several Persons of both Sexes who were lame all their Life-time after, and among the rest, the first Companion I had in my Confinement.

In this holy Tribunal no regard is had to Age, Sex, or Condition, but all are treated with the same Severity; and are indiscriminately tortured, and stript almost naked, whenever the bloody-minded Inquisitors are pleased to order it.

I remembered I had heard before my Imprisonment, that the *Auto de Fe* was generally solemniz'd the first Sunday in Advent, because that Passage of Scripture which relates to the last Judgment is read on that Day in Churches, the Inquisitors then pretending to exhibit a lively Representation thereof. I moreover observed, that there were a great Number of Persons confined in that Prison; the deep Silence which reigns in that House giving me an Opportunity to count the Number of Doors which were daily opened at the stated Times of eating. I was besides almost sure, that a new Archbishop arrived at *Goa* in *October*, the See having been before vacant for almost thirty Years. At least I thought so, because the Bells of the Cathedral had rung in an extraordinary Manner for nine Days together, at a Time when neither the universal Church, nor that of *Goa* in particular, solemnize any remarkable Festival. I knew that this Prelate was expected even before my Confinement.

These several Reasons made me flatter myself, that I might gain my Liberty in the Beginning of *December*; but when I found the first and second Sunday in Advent were past, I did not doubt but either my Liberty or Confinement was postponed for at least twelve Months.

As I fancied that the Act of Faith was never solemnized but in the Beginning of the Month of *December*, finding it elapse without the least Sign of any Preparation for that dreadful Ceremony, I resolved to submit another Year to my Afflictions; nevertheless, I found at a Time when I least expected it, that I was likely to be set at Liberty.

I observed that Saturday the 11th of *January* 1676, intending after Dinner to give my Linen to the Turnkeys in order to get it washed, as was the Custom, they refused to take it, and put it off till the next Day.

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I could not but revolve a thousand Thoughts upon the Occasion of this extraordinary Refusal, but not finding one satisfactory, I at last concluded, that possibly the Act of Faith might be solemnized the next Day; but I was more strongly confirm'd in my Opinion, or rather looked upon it as certain, when after hearing the ringing for Vespers at the Cathedral, Matins were rung immediately after, which had never been done since my Confinement, the Eve of the Feast of *Corpus Christi* excepted, which is always solemnized in *India* the Thursday immediately following Low-Sunday, because of the continual Rains which fall at the Time of its Celebration in *Europe*. One would have thought that my Heart was going to be filled with Joy, since I thought I should be soon set at Liberty, and that I should come out of the Grave, as it were, in which I had been buried for near two Years: Nevertheless the Dread with which the fatal Conclusion of the Proctor had filled me, and the Uncertainty of my Destiny, heightened my Affliction to that Degree, that I spent the Remainder of that Day, and Part of the Night, in such a Condition as would have moved the hardest Heart, those excepted under whose Cruelty I suffered.

Supper was brought me, which I refused, and contrary to Custom it was not urged upon me; but no sooner were the Doors shut but I gave myself up to Grief and Despair. At last, after having deplored my hard Fate with Sighs and Tears, oppressed with the most piercing Anguish, I began to doze about Eleven at Night.

I had not been long asleep, when I was on a sudden awaked by the Noise which the Turnkeys made in opening the Doors of my Cell, and as this was unusual, I was surpriz'd to see People enter it with a Light; and my Fears were not a little increased by the Lateness of the Hour.

Then the Alcaide gave me Clothes, which he ordered me to put on, and to be ready to leave my Cell when he should call me for that Purpose; then he went away, leaving a lighted Lamp in the Dungeon. I now had neither Strength enough to rise, nor to answer; and the Moment the Turnkeys left me, I was seiz'd with such a Trembling, that for above an Hour I could not so much as cast my Eyes upon the Clothes which were left me. At last I arose, and falling prostrate upon the Earth before a Cross which I had drawn upon the Wall, I recommended myself to Heaven, and resign'd myself wholly to Providence; after which I put on the Suit, which consisted in a Waistcoat, the Sleeves whereof reached to the Wrist, and a Pair of Drawers that reached

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reached to the Heels; the whole made of a black and white striped Linen.

I did not wait long after the Dress was brought me; for the Turnkeys came about Two in the Morning into my Cell, whence I was carried into a long Gallery, where I found a great Number of my Fellow Sufferers standing against the Walls. Here I placed myself, and several did the same after me. Notwithstanding there were upwards of two hundred more in this Gallery, yet as all of them were gloomily silent, as there were not above a Dozen Whites among them, who could scarce be distinguished from the rest, and as all were clothed in the same Dress with myself, they might easily have been taken for so many Statues fixed against the Wall, had not the Motion of their Eyes, which was the only Liberty allowed them, shewed them to be living Creatures.

The Gallery in which we stood had so few Lamps in it, and the Light of them was so very faint and weak, that this Circumstance, added to the Croud of black and sorrowful Objects, seemed to make the whole like a Burial.

The Women, who were clothed in the same Linen as the Men, were placed in an adjacent Gallery, where we could see them; but I observed, that in a Dormitory not far from the Place where we stood, there were also Prisoners clothed in a black Suit, which descended very low, who walked up and down from Time to Time. I did not then know what this meant, but was informed a few Hours after, that they were those who were to be burnt, and were walking up and down with their Confessors.

As I was unacquainted with the Formalities of the Holy Office, how heartily soever I might formerly have wished to die, I then was under dreadful Apprehensions lest I should be one of those who were condemned to the Flames. However, I cheered myself a little, when I considered my Dress was not different from the rest, and that 'twas not likely such a Number of People would be burnt as were there present.

After we were all placed against the Wall, a yellow Wax Taper was given to each of us; after which Clothes were brought us, made like Tunics or large Scapularies; they were of yellow Cloth, with red St. Andrew's Crosses painted before and behind. Such as are branded with these Stigmas, are those who have been guilty, or supposed to be guilty, of Crimes against the Faith of Christ, whether they be Jews, *Muhometans*, Wizards, or Hereticks, who have left the Catholick Religion. These

large Scapularies with large St. *Andrew's* Crosses are called *San benitos*.

Those who were looked upon as convict, and persisted in declaring their Innocence, or had relapsed, were another kind of Scapulary called *Samarra*, the Ground whereof is grey; the Criminal is drawn thereon, both before and behind, standing on Fire-brands with Flames mounting upwards, and Devils around them; at the Bottom of the Portrait the Crime and Name of the Prisoner are written. But such as accuse themselves after Sentence has been pronounced upon them before their Release, and have not relapsed, have Flames pointing downwards painted on their *Samarra's*, and this is called *fogo revolto*, or reversed Fire.

San benitos were given to twenty Blacks accused of Magick, and to a Portuguese convicted of the same Crime, and who was moreover a new Christian; and as they were resolved not to revenge themselves by Halves, but to insult me to the utmost, they forced me to put on a Dress like to that of the Wizards and Hereticks, though I had always confessed the Catholic Religion. This the Judges might easily have known from a great many People, both *Frenchmen* and others, with whom I had lived in several Parts of *India*. My Terror was increased when I saw myself in this Habit, because I thought that as there were not, among so great a Number of Criminals, but twenty-two Persons who were dressed with these ignominious *san benitos*, 'twas very possible that these only were those who were not to be pardon'd.

After the *san benitos*, five Pasteboard Caps were brought, shaped like a Sugar-loaf, having Devils and Flames painted on them, with the Word *Feiticeiro*, i.e. Wizard, round them. These Caps are called *Carrochas*, and were put on the Heads of the five most guilty of the Criminals, among those who were accused of Magic; and as they stood pretty near me, I expected to have one also; however I was mistaken, I then almost doubted no more but that these miserable Wretches were to be really burnt, and as they were not better acquainted than myself with the Formalities of the Inquisition, they have since told me, that they thought their Ruin inevitable.

Every one being habited according to his imputed Crime, we were allowed to sit upon the Ground till farther Orders.

About Four in the Morning, several Domesticks belonging to the Prison came, after the Turnkeys, to give Bread and Figs to such as would eat; but for my Part, tho' I had not supped the Night before, I had so little Appetite, that I should have taken nothing, had not one of the Turnkeys

Turnkeys come up to me, and said, Take the Bread that is offered you; and if you can't eat it now, put it into your Pocket; for depend upon't, you'll be hungry before you come back. These Words gave me the highest Consolation, and dispelled all my Fears, since he talked of my returning back, which made me take his Advice.

At last, after having long waited, Day began to break about Five, when one might plainly behold in the Faces of all the Prisoners, the various Impulses of Shame, Grief, and Fear; as those different Passions raged in their Bosoms; for notwithstanding that they were all flushed with Joy, when they found they were going to be delivered from their dreadful and insupportable Captivity; yet the Uncertainty of their Fate very much diminished their Transports.

The largest Bell of the Cathedral began to ring a little before Sun-rise, to give notice to the People of the Solemnization of the Act of Faith, which is, as it were, the Triumph of the Holy Office. We at first marched out one by one. I observed in passing out of the Gallery into the Great Hall, that the Inquisitor was sitting at the Door, having a Secretary standing near him; that the Hall was crowded with the Inhabitants of Goa, whose Names were written in a List which the Secretary held in his Hand; and that at the same time that a Prisoner was ordered out, he named one of those Gentlemen who were in the Hall, who immediately went up to the Prisoner and attended him, in order to stand Godfather to him in the Act of Faith.

These Godfathers answer for the Persons they attend upon, and represent them when the Festival is ended. The Inquisitors pretend, that 'tis a great Honour for a Person to be chosen Godfather on these Occasions.

The General of the Portuguese Ships in India was my Godfather, and therefore I came but along with him; and being got into the Street, I found that the Procession opened with the Dominicans, who enjoy this Privilege, because St. Dominic their Founder instituted the Inquisition. Before them, the Standard of the Holy Office was carry'd, in which the Image of the Founder was wrought in very rich Embroidery, holding a Sword in one Hand, and an Olive-Branch in the other, with this Inscription, *Justitia & Misericordia*.

After these Friars follow the Prisoners walking one after another, with each his Godfather by his Side, and a Wax-Taper in his Hand. The least guilty walk'd first; and as I was not looked upon to be very inno-

cent; above an hundred Prisoners walked before me. Men and Women walked together, for there was no other Distinction than that of Crimes. I, like the rest, was bare-headed and bare-footed; but I suffered very much in the March, which lasted above an Hour, because of the little Flints with which the Streets of *Goa* are fill'd, so that my Feet were all bloody.

We were carry'd thro' the principal Streets, exposed to the Sight of innumerable Spectators, who were come from all Parts of *India*, and lined the Way as we walked; care being taken to give notice of the Act of Faith in Sermon-time, in the most distant Churches, a long time before its Solemnization.

At last, oppressed with Shame and Confusion, and vastly fatigued with the March, we arrived at St. *Francis's* Church, which was then appointed to prepare the Celebration of the Act of Faith.

The High Altar was covered with Black, and had on it six Silver Candlesticks, in which were six lighted white Wax-Tapers. On each Side of the Altar two Seats like Thrones were raised, that to the Right for the Inquisitor and his Council, and the other for the Viceroy and his Court.

At some Distance from them, and opposite to the High Altar, a little towards the Door, another Altar had been raised, on which two Mass-Books lay open. From them to the Church Gate a Gallery was built about three Foot wide, rail'd in on each Side; and on each Side Forms were placed for the Criminals to sit on, with their respective Godfathers, who sat down as they came into the Church; so that those who came first into it, sat nearest to the Altar. Being seated in my Place, I began to consider the Order which those who came after me, were made to observe. I found that those who wore the dreadful *Carrochas* abovementioned, walked last in the Procession; that immediately a large Crucifix was carry'd, the Face of which was turned to those who walked before it; and which was followed by two Persons and four Statues, that were carry'd, big as the Life, and representing so many Men, each of them fixed upon a long Pole, and accompanied with so many Boxes, each carry'd by a Man; which Boxes were filled with the Bones of those whom those Statues represented.

By the Face of the Crucifix turned towards those who preceded it, the Mercy that had been shewn them is denoted, by sparing their Lives, tho' they had justly deserved to die; and by the said Crucifix's being turned behind to those who follow'd it, is denoted, that those unhappy

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Wretches are now lost to all Hope. Thus every thing that relates to the *Inquisition*, has a mysterious Signification.

The Dress of these unhappy Persons inspired equal Horror and Pity. The living Criminals, and the Statues, were clothed in *Samarras* made of grey Linen, painted full of Devils, Flames, and Firebrands, on which the Criminal's Head was painted both before and behind, with the Sentence written below, containing in few Words, and in large Letters, his Name, that of his Country, and the Crime for which he was to suffer. They also wore *Carrochas*, which like the Habit, were filled with Flames and Devils.

The little Trunks in which the Bones of those who died, were laid, and who had been prosecuted before, or after their Decease, before or after their Imprisonment, in order that their Goods and Chattels might be confiscated, were also painted black, and covered with Demons and Flames.

We are here to observe, that the Inquisitors do not confine their Jurisdiction over the Living only, or such as die in Prison; but that they frequently prosecute People several Years after their Death, whenever they may then be impeached of any considerable Crime. In this case their Bodies are dug up, and if they are found guilty, their Bones are burnt in the Act of Faith; all their Goods and Chattels are confiscated, which are forcibly taken away from their Heirs. I advance nothing in this Place but what I myself know to be true; for among the Statues that were carry'd in the Act of Faith, one of them represented a Man dead many Years before, who had been lately prosecuted, his Bones dug up, his Goods confiscated, and Bones burnt, or perhaps those of some other Person who had been buried in the same Place.

These unhappy Wretches being entred in the gloomy Manner above described, and seated in the Places appointed them near the Church-Door, the Inquisitor came, attended by his Officers, and went and seated himself on the Bench that stood to the Right of the Altar, during which, the Viceroy and his Court seated themselves on the Left.

The Crucifix was placed on the Altar betwixt the Six Candlesticks, when every one being seated in his Place, and the Church crowded with People, the Provincial of the *Austin* Friars went up into the Pulpit, and preached for half an Hour. Notwithstanding my great Anguish of Heart, I observed that he compared the *Inquisition* to *Noah's Ark*; but nevertheless, that he found this Difference between them, viz. that the Beasts who entered into the Ark, came from thence after the Flood
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with the very identical Inclinations they had carry'd into it; but that the *Inquisition* had this admirable Property, to make so great a Change with Regard to those who were imprisoned in it, that many who were cruel as Lions and Tygers at their going in, came out from thence as meek and gentle as Lambs.

Sermon being ended, two Readers went alternately into the Pulpit, where they read in publick the Trial of the several Criminals, and also their respective Sentences.

The Prisoner whose Sentence was read, was, while that was doing, conducted by the Alcaide to the Middle of the Gallery, where he stood, with a lighted Wax-Taper in his Hand, till his Sentence was read. And as all the Prisoners are supposed to have incurred the Penalty of the greater Excommunication, after their Trial and Sentence have been read, the Prisoner is carry'd to the Foot of the High Altar, on which the Mass-Books are laid; and here being ordered to kneel, he lays his Hands on the Book, and continues in this Posture till every Criminal has a Mass-Book before him.

Then the Reader laying aside the Trials, read aloud a Confession of Faith, having first briefly exhorted the Prisoners to repeat it after him with their Hearts as well as Mouths; and this being done, each Prisoner returned back to his Place, and the Trials were again read.

I was called in my Turn, when I found that my Impeachment consisted of three Heads: The first, for having asserted the Invalidity of Baptism *flaminis*; the second, for having said that Images are not to be worshipped, and for having blasphemed a Crucifix, by saying that one of Ivory, was no more than a Piece of Ivory; and thirdly, for having spoke with Contempt of the *Inquisition* and its Ministers; but above all, for the blackness of my Intentions, when I affirmed these several Things: In consideration whereof, I was declared excommunicate; and for Reparation, my Goods and Chattels were confiscated to the King's Use, and myself banished from the *Indies*, and condemn'd to row in the *Portuguese* Gallies for five Years, and also to fulfil the other Penances which should be particularly enjoin'd me by the Inquisitors.

Of these Punishments, none was so grievous to me as my being forced to leave the *Indies*, where I had made a Resolution of travelling several Years longer; However, this Reflection was sweetned, when I considered that I was going to be released out of the Clutches of the Inquisitors.

My

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My Confession of Faith being read, I returned to my Place, and made my Advantage of the Advice my Turnkey had given me, not to refuse the Bread which was offered me; for, as the Ceremony lasted the whole Day, none of the Criminals eat any thing that Day but in the Church.

After the Trials of those who were pardoned were read, the Inquisitor left his Seat, in order to put on the Albe and the Stole; when being accompanied with about twenty Priests, each having a Switch in his Hand, he came into the Middle of the Church, where, after having said several Prayers, we were absolved from the Excommunication, which it was pretended we had incurred, by virtue of a Stroke on the Back, which these Priests gave to each of us with the Switch.

I cannot forbear relating a Circumstance, to shew how grossly superstitious the *Portuguese* are with regard to every thing that relates to the *Inquisition*; which is, that during the Procession, and all the Time I continued in the Church, my Godfather would never answer me, tho' I spoke several times to him, and besought him to give me a Pinch of Snuff; which he refused me for fear of being involved in the same Censure with myself; but as soon as I was absolved, he embraced me, gave me Snuff, and told me he then looked upon me as his Brother, since the Church had loosed me.

This Ceremony being ended, and the Inquisitor returned to his Seat, the Prisoners who were to be burnt, were made to advance forward. There were a Man, a Woman, and the Images of four Men deceased, with the Boxes in which their Bones were laid: The Man and Woman were black *Indians* and Christians, accused of Magick, and condemned as relapsed; but in reality were no more Wizards than those who condemned them.

Of the four Images, two represented Men convicted of Magick, and the other two, two Men, both New Christians, accused of turning *Jews*; one whereof died in the *Inquisition*, and the other in his own House, and had been bury'd many Years before in his Parish-Church. However, being accused after his Death of embracing the *Jewish* Principles, as he dy'd very rich, the Inquisitors had caused his Body to be taken out of the Grave, in order to burn his Bones in the Act of Faith. Hence 'tis plain, that the Inquisitors, like our Saviour himself, exercise a Power over the Living and the Dead.

The Trials of these unhappy Persons were read, which all ended with these Words, *viz.* That it not being in the Power of the Holy Office to pardon them, because of their relapsing into their Errors or their Impenitence,

tence, and being indispenfably obliged to punish them with the utmost Rigour of the Laws, they therefore delivered them over to the Flames.

While these last Words were pronouncing, a Sergeant from the Secular Powers advanced forward, and took Possession of these unfortunate Persons, who before had been struck gently on the Breast by the Alcaide, to shew that they were abandoned by the Inquisitors.

In this Manner the Act of Faith ended; and whilst the condemned Criminals were carry'd to the River-side, where the Viceroy and his Court were assembled, and where the Piles on which they were to be burnt, had been prepared the Day before; while these Things, I say, were doing, we were carry'd back to Prison, but without observing any Order as we walked.

Tho' I did not see them executed, yet, as I had a full Account of it from Persons who had been present at several of these Executions, I shall give a Description thereof in few Words.

When the condemned Prisoners are coming to the Place where the Lay-Judges are assembled, they are asked what Religion they chuse to profess at leaving the World; but don't make the least mention of their Trial, which is supposed to have been fair, and that they were very justly condemned; the Inquisition being looked upon as infallible.

Having answered this only Question that is asked them, the Executioner lays hold of them, and ties them to Stakes; where they are first strangled, in case they die Christians; but in case they persist in professing Judaism or Heresy, they then are burnt alive: However, this happens so rarely, that there is scarce one Instance of it in four Acts of Faith, tho' several Persons generally suffer on those Occasions.

The Day after the Execution, the Pictures of the executed Criminals are carry'd into the Church of the *Dominicans*. Their Heads only are represented to the Life, with Firebrands under them, with their Names, those of their Fathers and their Country, and the Crime for which they suffered, with the Day of the Month, and Year of their Execution.

In case the Criminal had relapsed into this Guilt, the following Words are writ under his Picture, *Morreo quemado por Hereje relapso*, i. e. that he was burnt as an Heretick relapsed. If he persevered in his Error, after having been accused but once, the Words *por Hereje contumaz*, are written under his Picture; but there are very few of these. In fine, if after having been accused but once, by a sufficient Number of Witnesses, he persists in asserting his Innocence, and dies in professing the Christian Religion, then there is under his Picture, *Morreo quemado por Hereje convicto*

vitto negativo, i. e. he was burnt as a Heretic Convict, but did not confess; and of the latter there are great Numbers. Now 'tis certain, that out of an hundred who die as Negatives, ninety-nine are not only innocent of the Crime imputed to them, but chuse to die, rather than falsely confess themselves guilty of a Crime. For 'tis not natural to suppose, that was a Man sure to be pardoned in Case he would confess, that he would persist in his Innocence, and chuse rather to be burnt than to own a Truth, the Confession of which would save him.

These terrible Portraits are hung up in the Nave, and over the great Gate of the Church, as so many illustrious Trophies sacred to the Glory of the holy Office; and when this Side of the Church is filled, they also croud the Wings near the Gate with them. In the great Church of the *Dominicans* at *Lisbon*, which is not far from the Inquisition, there are several hundred of these melancholy Paintings.

I was so wearied and dejected at my Return from the Act of Faith, that I was almost as desirous of going back to my Cell, as I had been a little before to come out of it.

My Godfather accompanied me to the Hall, and the Alcaide having carried me into the Gallery, I went and shut myself up whilst he was looking after the rest. Being got in, I threw myself upon the Bed till my Supper should be brought me, which consisted only of Bread and Figgs, the Hurry of the Day not allowing the Officers to get any thing else. I slept however, much better this Night than I had done for a considerable Time before; but the Moment Day appeared, I was impatient to know my Fate. About six, the Alcaide bid me give him back the Dress I had worn in the Procession, which I willingly returned him; and at the same Time offered him the *San benito*, but he would not receive it, I being to wear it on all Sundays and Festivals till I had completed my Sentence.

About seven, Breakfast was brought me, and a little after I was ordered to pack up my Things, and to be in Readiness against my being called out. I obey'd this last Order with all possible Care and Dispatch; when about nine a Turnkey open'd my Door, ordered me to take up my Bundle upon my Shoulders, and to follow him to the great Hall, whither the greatest Part of the Prisoners were already come.

Having staid some Time here, I saw about twenty of my Fellow-prisoners, who had been sentenced to be whipt the Day before, which had just then been executed upon them by the Hands of the common Hangman, through all the Streets in the City. Being thus assembled,

the Inquisitor came in, when we all fell on our Knees to receive his Blessing, after having kiss'd the Ground he walked upon. Orders were afterwards given to such Blacks as had few or no Clothes, to carry those of the Whites. Such of the Prisoners as were not Christians, were immediately sent to the Places whither they had been condemned; some of them into Banishment, others to the Gallies, or the House where Powder is made, called *Casa de polvera*; and the Christians, whether Blacks or Whites, were carried to a House hired for that Purpose in the City, there to be instructed for some Time.

The Blacks lay in the Parlours and Galleries, and the Whites were put into a separate Apartment, where we were confined all Night, but had Liberty to range the whole House over in the Day Time, and to speak with any Body. The Whites and Blacks were catechised separately every Day, and Mass was daily celebrated, at which we all assisted, as also at Morning and Evening Prayer.

During my Stay in this House, I was visited by a religious *Dominican* my Friend, whom I had known at *Daman*, where he was Prior. The good Father, who was oppressed with Years and Sicknes, no sooner heard of my being set at Liberty, but he immediately visited me in a Sedan. He bewailed my ill Fate with Tears and Embraces, telling me that he had been in great Terror for my sake; that he frequently inquired into the State of my Health, and my Affairs, of the Father, Procurator of the Prisoners, his Friend, and of the same Order; that he could obtain no Answer for a considerable Time; and that at last, after many Entreaties, all he could get out of him, was, that I was still alive.

The Sight of this good Friar gave me great Consolation, and the Necessity I was under of leaving the *Indies* was a Trouble to us both. He had the Humanity to visit me several Times, when he requested me to return to the *Indies* as soon as I should be set at Liberty, and sent me Provisions of various Kinds for the Voyage, which otherwise I could never have procured.

After I had lived in this House till the 23d of *January*, we were again conducted into the Hall of the Inquisition, when each of us was called in his Turn to the Board of the Holy Office, there to receive from the Hands of the Inquisitor, a Paper containing the Penances to which we were respectively sentenced: I went thither in my Turn, when laying my Hands on the Gospels, I was ordered to kneel down, and to promise not to reveal any of those Particulars, which had happened in the Inquisition during my Imprisonment.

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The Judge afterwards gave me a Paper sign'd by himself, containing the Penance enjoined, and as it was short, I shall transcribe it word for Word.

List of the Penances enjoined, &c.

1. During the three Years to come, he shall confess and communicate : The first Year, every Month ; and the two following, at *Easter, Whitsontide, Christmas, and the Assumption of our Lady.*
2. He shall assist at Mass and Sermons all Sundays and Festivals, in case he has Opportunity for so doing.
3. During the said three Years, he shall daily repeat five Times the *Pater Noster* and *Ave Maria*, in honour of the five Wounds of our Saviour Christ.
4. He shall not engage in Friendship with Heretics, or Persons whose Faith is in the least suspected, which may in any manner prejudice his Salvation.
5. He shall keep inviolably secret, all he has either seen, said, or heard ; as also whatever has been transacted with himself, either at the Board, or other Places of the Holy Office.

Francisco Delgado e Matos.



ADIS

DISCOURSE

ON THE

Practice of the Church in *Antient Times*,

with regard to HERETICS:

WITH

A Parallel between that and the Proceedings of the Inquisition in our Days; wherein the Justice of the former, and the great Injustice of the latter, are clearly shewn: Written by a Roman Catholic, Author of the Historical Memoirs relating to the Inquisition.

THE Spirit of Christ Jesus and of his Church being a Spirit of Charity, of Gentleness, and Moderation, that aims not at the Death, but the Salvation of a Sinner, nothing appears to be more opposite to it than the employing Force, Violence, Tortures, and even Death, against those who entertain such Notions as clash with the Purity of Doctrine, or the Precepts of the Gospel. Besides, as the Power of the Church is merely Spiritual in its own Nature, the Prelates thereof are no ways impowered to inflict Punishment.

The Keys which our Saviour has given to loose and unloose, have no other Power than that of separating Believers from the Communion of the Church, in Things of an Ecclesiastical and Spiritual Nature, and not to deprive them either of Life, or their Temporal Possessions. Thus we see, that during the three First Ages of the Church, the Apostles and their Successors employed no other Methods than those of Exhortation, Admonition, and Censure, in order to bring back such Christians as had wander'd

wander'd from the Paths of Faith; and in case they persisted in their Obstinacy, they contented themselves with separating them from their Communion, agreeable to that Precept of St. Paul, *Hæreticum hominem, post unam & alteram correptionem devota*. But no sooner were there Emperors who professed the Christian Religion, but they laid it down as a Duty incumbent on themselves, not only for the Security of their Government, but for the better Support of the Catholic Religion, of which they were the Protectors, to enact Laws against Heretics, and to punish them. The Bishops never arrogated this Authority, but addressed themselves sometimes to the Emperors, to desire that certain turbulent Heretics might either be punished, or a Stop put to their Proceedings by the Dread of Punishment. But then, agreeable to the Dictates of the Gospel, they took the utmost Care not to suffer Heretics to be punished with Death; and all they desired was, that they might be effectual in reclaiming them from their Errors, but were not for having them put to Death in a State of Impenitence. This they looked upon with so much Horror, that notwithstanding the *Priscillianists* did, of all the Heretics, most justly deserve Death, yet the Church looked on those Bishops that had accused them to *Maximus* the Emperor, who had condemned them to die, as guilty of so great a Crime; that the rest of the Bishops thought it incumbent on them to join no longer with them in Communion, nor with those who did not separate themselves from them. And an antient Author, tho' he owns that the *Priscillianists* had been justly punished, he yet cannot forbear looking upon their Condemnation, which had been procured by certain Bishops, as an Example of a very dangerous Consequence; *Hi homines luce indignissimi, pessimo exemplo necati, aut exilio mulctati*. St. *Austin* himself shews plainly enough in his Epistle to *Donatus* Proconsul of *Africa*, that he was of the same Opinion, when he declares to him, that in case he still continued to put the *Donatists* to Death, the Bishops were bound in Duty to conceal them from him for the future.

Not but that Heretics may be restrained by Temporal Punishments; but here, as in all other Things, certain Regards must be had, as well as some Rules followed: And hereupon it may be said, that the Causes for which Heretics may be punished, are chiefly reducible to Four.

The First is from a political Reason, *viz.* for the Peace of the Government, in order to prevent and put a Stop to, or even curb, the Disorders or Diffensions, that are almost inseparable from Disputes on Religious Topicks, as is but too manifest from Experience.

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The second Reason is drawn from the Duty incumbent on a Christian Prince, who is obliged to guard Religion with a vigilant Eye, and to exert himself as much as possible to maintain it in its Purity. And as this Purity is sullied by Heresies, corrupt Opinions, and pernicious Maxims, a Prince must not, when these prevail, look upon them with an Eye of Indifference; but is bound to root out every thing that may have the least Tendency to deprave Religion, with the same Care and Circumspection, as he employs to see the Laws put in Execution.

The third Reason for punishing Heretics, is sometimes drawn from the Nature of those Heresies which they profess: For it is certain, that there are some who advance Principles of so blasphemous a Nature, and entertain Notions so highly injurious to the Divine Being, and the Mysteries of Religion; that to tolerate, and not endeavour to suppress them, would be Injustice. Can any thing be more equitable than to chastise seditious Spirits, when they discourse on Topics injurious to the Prince, and obnoxious to the State? And shall we say that the Divine Majesty is to be less respected than that of Kings and other earthly Governors? and that Men shall with Impunity be suffered to break out into contumelious Expressions against the former, and at the same time punish the licentious Discourses vented against the latter with the utmost Severity?

The last Reason why Hereticks may be proceeded against with Rigour, is not to force, but incline them, by the Fear and Dread of the Laws, and the Punishments inflicted, to acknowledge the Truth, and to return to the Church which they had left. This would never once enter into their Thoughts, were they not prevailed upon from a Desire of living in Peace, and to escape those Punishments to which Heretics are subject by the Laws. This Reason, which, perhaps, may appear to be the weakest, did nevertheless prevail so far with St. *Austin*, that it made him change the Opinion he had once entertain'd, with respect to the Punishment of Heretics.

If we examine the first Reason, it must be owned, that all such Heretics as break in upon the Peace of the State, and raise Seditions, may, and often ought to be punished capitally, as their Practices are more or less prejudicial to the Tranquillity of the Government. Thus the Church in St. *Austin's* Time, thought itself impowered to implore the Protection of the Emperors against the *Donatists*; and 'twas from the same Principle that these Monarchs, upon the Complaints made by the Church, punished some with pecuniary Mulcts, others with Banishment, and others

others again with Death: And in all these Proceedings they acted with the highest Justice, as is manifest from History.

The second Reason may justly authorize a Prince to punish Heretics. St. *Austin* is of this Opinion, and therefore speaking of the *Donatists*, he says, "The Tribune, whom the Emperor has sent, is not commanded to put you to Death, but only to reform you; but in case you resolve upon the contrary, and persist in your Obstinacy, you shall be sent into Exile, to the end that you may not hinder the rest from becoming Converts, and recanting their erroneous Principles."

The third Reason is but too sufficient to impower a Monarch to punish not only Heretics, but even Schismatics, Heathens, and *Jews*, if any such are in his Dominions. The Punishments inflicted ought to be either gentler or more severe, proportionable to the Flagrancy and Blasphemy of the Doctrine. Princes who were informed with a Spirit of Piety, as is manifest from the Examples of the Emperor *Justin* and St. *Lewis*, never suffered Blasphemers to go unpunished: Since therefore, according to the Divine Law, they ought to be punished capitally, it cannot be disputed, but that a Christian Prince may in that Particular regulate his Conduct by the Law of the Creator; tho' at the same time it is certain, that he is at Liberty to punish with a less severe Hand, if he thinks proper.

As to the fourth Reason, viz. the bringing Heretics over to the Church, either by a Dread of Punishment, or from the Punishments themselves, it must be owned, that when this is the only Reason for chastising them, they ought to be proceeded against with the utmost Prudence and Circumspection. For, not to mention that a truly Christian Prince does all that lies in his Power to prevent the Effusion of his Subjects Blood; so on the other Side, the Conversion of Heretics, which is the Thing aimed at, cannot be effected by these Means; for when once we have put a Heretic to Death, we thereby cut off all further Hopes of his Conversion. On this Occasion therefore we are to employ negative Punishments rather than positive ones, if I may so express myself; i. e. they may be excluded the Enjoyment of those Honours, Dignities, and Privileges, which the Catholics enjoy; or such Burthens may be laid upon them, and they may be bound to such Services, as the rest are exempt from: Nay, farther, the Places where they meet together for divine Worship may be taken from them; they may be prohibited the public Exercise of their Religion, and their Pastors may be sent into Banishment. For as nothing contributes more to foment and keep
up

up a Spirit of Schism, and a Division in Religion, than a Variety of Worships, and the Diversity of Assemblies and Pastors; so on the other Side, nothing can possibly weaken them more than to deprive them of all these Advantages. This was the Conduct of the Christian Emperors in St. *Austin's* Time; and the same Saint, who acquaints us with this Circumstance, approves and applauds it, and confesses that the happy Effects which had resulted from this Conduct obliged him to change his Opinion, and to own that Heretics may, with great Justice, as well as Advantage to the State, be punished with Gentleness and Moderation, provided their Conversion is the only Motive of such a Procedure. But how just soever it may be to punish Heretics on certain Occasions, it is nevertheless certain, that as to corporal and civil Punishments, the Church had nothing to do with them, but they were wholly inflicted by the Prince and the secular Magistrate. Though we were to read an hundred Times over all the old Collections of Canons, by which the Church squared her Conduct for Centuries together, we yet shall not meet with so much as one that inflicts corporal Punishment, not even on Ecclesiastics, tho' these in all Ages have been more immediately in Subordination to the Church than the Laity; which is an indisputable Proof that the Church was in those Days persuaded she was invested with no such Authority.

This Authority or Power therefore in the first Ages of the Church with respect to Heresies, was confined only to Tenets; and this Power has indeed been its peculiar Prerogative in all Ages. Princes and Civil Magistrates have never carried their Pretensions so far; or in case they happen to have done it, as *Justinian* with regard to *Origen*, it has either happened but very rarely, or in Execution of the Church's Decrees. And if they ever attempted any Thing of this Nature from their own Authority, it was of no great Consequence, and very little Regard was paid thereunto, till such Time as it had received a Sanction from the final Decision of the Church.

Her Power extended indeed to the Condemnation of Heretics themselves; but then the Punishments which she inflicted by Virtue of her own Authority, went no further than the Excommunication of the Laity, and the Excommunication and Deposition of the Clergy.

Whenever the Church was persuaded that weightier Punishments were necessary for the restraining of Heretics, or even such Catholics as were incorrigible, she was so far from ordering the Execution of them, that on the contrary she always addressed herself to Princes and civil Magistrates

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strates for that Purpose. The antient Bishops of *Africa* generally follow'd this Maxim, as is manifest from several Testimonies of St. *Austin*: Thus the Council of *Vernon* decrees, that the King must be address'd in order to inflict the Punishment of Banishment. The same Thing is enacted by the third Council of *Tours*, whenever civil and corporal Punishments are to be inflicted.

The Popes themselves were once of the same Opinion, tho' their present Conduct is so opposite to it. *Pelagius I.* enacts that Recourse shall be had to the civil Magistrate, to restrain Heretics and Schismatics; He writes to this Purpose to *Narses* the Patrician, Commander of the Emperors Forces in *Italy*; and in his Letter to *John* the Patrician, has Words, to the same Effect.

Although *Gregory IX.* carried the Authority of the Church to a great Length, he nevertheless acknowledges that it belongs only to the civil Magistrate to impose pecuniary Fines; and *Celestin III.* is of the same Opinion.

And this is what oblig'd *Alcuinus*, notwithstanding he was a great Stickler for the Authority of the Church in other Cases, to own, that there is this Difference between temporal and ecclesiastical Power, viz, that the former is wholly confined to the inflicting of corporal Punishments, and the latter to spiritual ones.

However, it must still be own'd, that several Examples of considerable Antiquity might be brought, to prove that the Church has the Power of inflicting bodily Punishments.

The fifth Council of *Rome*, held under Pope *Symmachus*, condemns a Clerk to Banishment, and confiscates all his Goods.

Adrian V. ordains, that a false Accuser shall have his Tongue cut out; nay, that he shall lose his Head, in case his Accusation be of so heinous a Nature as to deserve it.

Urban III. condemns a Clerk, who had counterfeited the Royal Signatures, to be, depos'd, sent into Banishment, and stigmatiz'd in the Face.

Alexander III. condemns all such Laymen as shall have seduced and drawn away Women and young Lads, to the Scourge, and pecuniary Mulct: Not to mention many other Examples, which might doubtless be quoted to strengthen the same Assertion.

But it may be objected, in the first place, that the several Instances above-mentioned, do not any way relate to Heretics. Secondly, that it is taken for granted in these Determinations, that the ecclesiastical Judges

had for that Purpose received from Princes special Power for inflicting civil Punishments. And indeed *Alexander III.* manifestly makes such a Supposition, in the Affair relating to the Bishop of *Palermo*, who had really a Power devolved on him by the King of *Sicily*, by Virtue of which he enacted civil Punishments, even with respect to the Laity.

It may be farther said, that these Decrees are made only to point out to the civil Magistrate the Punishment that is due to the Crimes mentioned in them; which however does no way infer that it is not their proper Business to exercise these Punishments against such Criminals. And this is the very Manner in which the Gloss itself explains the Decrees of *Adrian V.* and *Urban III.*

In a word, in what Sense soever these particular Decrees are understood, it is impossible for them to over-rule the Authority of the Fathers, who are all unanimously agreed, that the Jurisdiction of the Church is wholly spiritual, that she cannot make use of Force, and that temporal Punishments do not any way belong to her Province.

This, however, is to be understood of the Church, with regard to that Power alone, which she has received from our Saviour and his Apostles; for in those Places where she enjoys Sovereignty and temporal Authority, as in *Rome*, and several other Places, it is not to be doubted but that she enjoys the same Rights and Privileges, and that they are as unlimited as those of other Sovereigns.

From all that has been said we may conclude, that nothing can possibly be more opposite to the Spirit and Practice of the Church for upwards of a thousand Years, than what is now observed in those Countries where the Inquisition is establish'd.

For upwards of six hundred Years together, the Church behaved with the utmost Gentleness and Moderation towards all Heretics in general, and those in particular who never raised any Commotions in the State, or persecuted the Catholics; whereas in those Countries where the Inquisition prevails, they are now treated with the utmost Rigour and Severity; the most strict Search is made after them, and the Prosecution never ceases till they are quite extirpated. The utmost Rigours of Imprisonment, Punishments, Raeks, Tortures, in all the various Shapes, are employ'd against them; and so inflexible are the Prosecutors in the Punishments they inflict, that nothing can possibly soften or alleviate the Severity. And if the civil Magistrate, whose Assistance they implore when the Punishment is capital, (which is ever the most rigorous, since it is no less than burning) should go about to mitigate it, he himself would

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be suspected to favour Heretics, and would at least incur the most rigorous Censures of the Church, and be entirely cut off from it by Excommunication.

In former Days the Church had neither Judges, Officers, Tribunals, Prisons, Dungeons, Executioners, or Tortures; the Spirit of Gentleness she then breathed, did not suffer any Thing of this Nature so much as to enter into her Thoughts: She left all those terrible Things to the Tribunal of Princes, and the civil Magistrates, who are justly impowered to imploy Compulsion, and who are frequently obliged to make use of it for the Peace and Safety of Governments; as also to restrain the Wicked, who would otherwise fancy they might indulge in all manner of Licentiousness; and to force them to be virtuous, at the least in outward Appearance, if they will not be so in Reality.

But the Inquisition, on the contrary, is ever surrounded with all these Objects of Terror, and employs them indifferently against all Kinds of Heretics, and against all in general over whom its Authority extends, though of never so peaceable a Character, no less than against the most seditious and turbulent Offenders.

Formerly the Bishops and their Officers were the only Inquisitors; and whenever it was necessary to employ rigorous Penalties, and punish with Severity, they always addressed themselves to the civil Magistrate for that Purpose, who in all Ages hath been invested with that Right.

But in those Places where the *Inquisition* subsists, we find the very reverse; Bishops have but the least and most inconsiderable Share in the Prosecution of Heretics, but are themselves subject to the Tribunal of the Inquisitors. The Inquisitors are generally, and in most Places, not only Churchmen, but Monks; whose Profession is of a severe Nature. As for the Civil Magistrate, how necessary soever it may be for him to take Cognizance of the Sentences they pronounce, they nevertheless do not communicate any thing of them to him; and they have no more left of the Authority they anciently enjoy'd, than to be mere Witnesses and Executioners of such Sentences as are pronounced by the *Inquisition*, but have no manner of Right to examine them.

Anciently it was the Custom to judge Heretics in the same manner as other Criminals; there was no manner of Difference in the Formality, and the Methods of Procedure were exactly the same; they were allowed the same Means of defending themselves, and of challenging or excepting against; and an Opportunity of clearing themselves was indulged them the same as to other Criminals.

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But in the *Inquisition* 'tis the direct contrary; the Methods of Prosecution are different, and the Formalities entirely new; 'tis very easy to ruin a Person who stands impeached, but very difficult to justify one who is innocent.

In former Days, whenever a Heretic repented of the Errors he was fallen into, and submitted to the Penance and Correction of the Church, he was always received into her Bosom, and reconciled to her with Joy.

But in the *Inquisition*, when once a Pardon has been granted, all future Mercy is entirely cut off; and whenever a Person has been so unhappy as to come twice into its Clutches, the Crime is never expiated but with Life.

In all Places, except those where the *Inquisition* prevails, Death puts an End to all Prosecution, and terminates all the Rigours that may be employ'd against a Criminal.

But here it is quite otherwise; the Prosecution extends even beyond Death, and the Inquisitors are as cruel to the painted Bones, the Ashes and Images of the Criminal, as they would have been to their Persons, had not Death put an End to all their Torments. Time cannot obliterate any Circumstance from the Memory of the Inquisitors, and they shall as well remember the several Particulars of a Crime a great many Years after its being committed, as tho' it had been perpetrated but a few Days before.

In other Countries, a Son who should have concealed his Father, after whom Search was made in order to put him to Death, would not have such an Action imputed to him for a Crime. A Wife who should shelter her Husband in a Case of imminent Danger, is not looked upon as Criminal; so far from it, that all these good Offices are considered as so many natural Duties, the Prohibition of which would be unjust.

In those Countries where the *Inquisition* prevails, all these Duties are forbid; and no sooner is a Person so unhappy as to be impeach'd before its Tribunal, but he is immediately abandoned by all. A Son does not dare give Refuge to his Father, a Father to his Son, nor a Wife to her Husband; and if any one should be convicted of doing this, he would immediately be prosecuted by the *Inquisition* as one who favoured Heretics.

In all other Places, any Person who has been unjustly accused, has suffered false Imprisonment, or been undeservedly tortured, is allowed to publish his Innocence to the World, and by that Means come off with

Honour;

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Honour ; he is left at Liberty to vent his Complaints, which are far from being looked upon as a fresh Crime, that may empower a Court to call him again to Account. On the contrary, the Judges themselves generally make no Difficulty to own they were imposed upon, and are the first to proclaim the Innocence of those who are really so.

But in the *Inquisition* 'tis quite otherwise ; such Confessions are never made ; they never own a Mistake, are always in the Right, and that every thing has been done as it ought to be. And if ever an innocent Person, who has escaped its Snares, should presume to proclaim his Innocence to the World, and value himself upon it, he would certainly be again arrested ; and afterwards punished for slandering the Holy Office.

These Particulars would scarce appear credible, especially in *England*, and the other Kingdoms whose Inhabitants are not subject to the Rigours of that Tribunal ; but those who have either inhabited or frequented those Countries where the *Inquisition* is established, are fully persuaded of the Truth of all that is here asserted. The very Inquisitors themselves do not mince the Matter very much ; Prejudice and Custom have so far persuaded them, that they are in the Right to act in this manner : And on the other Side, they are of Opinion 'tis so much their Interest to be feared, and to over-awe every one, not excepting even Kings, that they are very desirous these Things should be known, tho' at the same time all that passes in the *Inquisition* itself, is kept inviolably secret.



*A SUPPLEMENT to, and REFLECTIONS on,
the foregoing DISCOURSE: Written
by the Author of Illustrations of the Historical
Memoirs, who was a Romanist also.*

THE *Inquisition* is a Subject of so particular a Nature, that any one who attempts to write upon it with Impartiality, will find he has undertaken a very difficult Province.

If we consider it with regard to its Origin, we shall find so many Persons of the greatest Character for their Holiness, and the Practice of all the Christian Virtues, among its Founders, that we can scarce look upon this Work of theirs as a Mystery of Iniquity, and calculated wholly for the Ruin of the Virtuous. If we reflect farther, that the wisest and most politick Kings have strenuously endeavoured to establish it in all Parts of their Dominions, tho' it lessened their Authority at the same time, it will induce us to think, that they were prompted to it from no other Motives, than the Advantage they thought would accrue to true Religion. Not to mention, that many of those who preside over it, are Persons of the most illustrious Birth, and of so unsullied a Reputation, that 'tis almost impossible we should suspect they could ever commit the vile and unjust Actions, which this Tribunal is generally said to be guilty of.

But then, if we view the same Object in another Light, and enquire into its tyrannical Proceedings, we must necessarily have the utmost Detestation for an Institution, which, upon the specious Pretext of employing its Severities against Error, does at the same time undermine the very Foundation of that Religion, for whose Sake it seems to have been established. Such a Cloud of Witnesses have given in their Evidence with respect to the Barbarity and Cruelty that is exercised therein, that 'tis impossible to challenge or except against them all. Besides, a Person who is ever so little conversant in ancient Church-History, cannot but exclaim against an Order of Monks, who, laying aside all Humility and Repentance,

Repentance; which ought to be their peculiar Characteristicks, arrogate to themselves a Power, not only over Kings, (who indeed as Laymen, are as much exposed to the the Censures of the Church, with regard to Spirituals, as the meanest of their Subjects) but also over Bishops, who cannot with Justice be judged by any but their Equals, in Matters relating to Doctrine. 'Tis impossible but we must be seized with the most melancholy Reflections, when we see the Successors of the Apostles obliged to submit to a vile Set of Monks, or exposed to the Ignominy of being loaded with Irons, and constrained to answer, like so many Criminals, to such Wretches as God never appointed them for Judges. The *Inquisition*, when considered in this Light, loses all that Appearance of Piety which renders it so venerable in the Eyes of a few, and that Authority which astonishes the greatest Part of Mankind. We then perceive plainly, that all those Princes who have endeavoured to establish it in their Dominions, have been secretly prompted to it by Persons whose Interest it was to advise them thereto, and to disguise the Consequences which would result from it; that they had been rewarded upon that Account, with the Patronage and Favour of the Court of *Rome*, which at that Time they stood in need of; in a Word, that human Motives had as much Share in it, as Zeal for the Purity of the Faith.

A great Number of Authors have employ'd their Pens against this Institution. Some, in writing the History of the *Albigenses* and *Waldenses*, have set forth the Establishment of the Jurisdiction of the Holy Office, in Colours conformable to the Prejudices of the Religion they had imbibed; others again have written Books expressly on this Subject. We may affirm in general, that none but the Flatterers of the Court of *Rome*, have praised, with any Pleasure, the bloody Zeal of those Wretches, that offer the Blood of Heretics to a God, who desires only their Conversion; who holds it in his Hand, and suffers Heresy to subsist, purely to draw good from it.

The Author of the *Memoirs relating to the Inquisition* asserts very justly, that Force, Violence, Tortures, and such like Methods, were never employ'd in the primitive Times, to bring back Heretics into the Bosom of the Church. For notwithstanding that there have been in all Ages, Men who were for persecuting their Fellow-Creatures, and that the orthodox Church has not always been sufficiently free from this Leaven, we may nevertheless affirm, that nothing which could be compared with the Inquisition, appeared till the twelfth Century. *Tertullian*, in the second Chapter of his Apology, addressing himself to the Heathens, says

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as follows : Since we cannot meet with any Man, who is desirous of being honoured by Force, much less ought we to think that God delights in an involuntary Homage. Man has a natural Right and a Power, to worship whatsoever Object he thinks fit ; and the Religion of one Man does neither Good nor Harm to that of another. To oblige a Person to embrace a Religion against his Will, does not merit the Name of Religion : It must be received voluntarily, and not by Compulsion. St. *Cyprian* likewise condemns all Constraint in positive Terms ; and even points out this Difference between the Church under the antient Dispensation and that under the new, That whilst the Circumcision of the Flesh subsisted, all such as disobey'd the Priests were kill'd with the Sword ; whereas since the Time of the spiritual Circumcision, the Proud and Refractory were kill'd only by the spiritual Sword, whenever they were cut off from the Church. Cardinal *Bellarmino*, who quotes this Saint as though he had advised the putting Heretics to Death, had better not have made so unjust an Application of a Passage, wherein St. *Cyprian* exhorts Sinners to suffer Martyrdom for the Expiation of their Sins. This Cardinal, by the way, was entirely devoted to the Opinions of the *Italians* ; and his Prejudice made him turn several Passages of the Fathers, and the Scriptures, in such a Sense as seemed favourable to the Court of *Rome* : But were those Passages to be read in the Original, they would be found to bear a quite different Sense. *Lactantius* carries this Matter much farther, as we find by the twentieth Chapter of his fifth Book. The Church was always actuated with this Spirit of Peace and Gentleness, till such Time as the Emperors having embraced the Christian Religion, the Bishops began to employ insensibly the Authority which Kings and Princes had given them, to oppress all such as refused to submit to the Jurisdiction of the Church : And the Moment they ceased to be persecuted, they themselves became Persecutors. At first the most severe Punishment they inflicted upon Heretics, was to send them into Banishment ; and *Socrates* relates in his History, that the Bishops of the *Nicene* Council only pronounced Anathema against *Arius* and his Followers ; and that the Emperor *Constantine* banished *Arius*, *Eusebius* of *Nicomedia*, and *Theognis* of *Nice*. However the above-mention'd Emperor afterwards acted with great Severity, as may be seen in his Letter to the Bishops and the People, wherein he says, *Whoever shall be found guilty of having concealed one of Arius's Books, instead of throwing it into the Fire, shall himself be put to Death.*

Sulpitius

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Sulpitius Severus not only condemns the Procedure of those Bishops who prompted the Emperor to put *Priscillian* to Death, but adds two Circumstances that are not very favourable to the Inquisition. First, that the putting this Man to Death, instead of suppressing his Heresy, did, on the contrary, strengthen it, and made it spread the more; for now his Followers, who had honour'd him as a Saint in his Life-time, began to revere him as a Martyr after his Death. Secondly, that *St. Martin*, so far from entertaining any such Sentiments, had been always urgent with *Ithacius* to withdraw his Charge, and besought *Maximus* not to shed the Blood of that unhappy Person. This holy Bishop, as the above-cited Historian relates, thought it sufficient to drive all such Heretics out of the Church, as had been condemned by an ecclesiastical Sentence; but that it was a *a new and unheard-of Crime*, for a secular Judge to *take Cognizance of any Causes relating to the Church*. The Reader might probably think, that he employ'd these Words merely to favour ecclesiastical Jurisdiction, and to invest the Bishops with such an Authority as the Emperor himself ought to have assumed; but this holy Man had no such Thought. The Emperor in thus persecuting the Heretics, did no more than execute the Sentence of a great Number of Bishops; and *St. Martin* was an utter Enemy to Compulsion. During his Residence at *Triers*, he stopt all the Prosecutions wherein Life was concerned, and would not leave it, till *Maximus* had promised him not to shed the Blood of the Guilty. However, this Prince having been afterwards corrupted by *Magnus* and *Rufus* the Bishops, and dissuaded from these gentle Methods, referred the Cause to *Evodius* the Prefect, who put to Death *Priscillian*, *Felicissimus*, *Armenius*, *Latronianus*, and *Euchrochia*, contrary to the Promise he had made the holy Bishops. Some others also suffered Death, and 'tis on this Occasion that the Historian makes Use of those Words quoted by our Author.

The Causes for which Heretics may be punished are reduced chiefly to four. The first which our Author mentions is drawn from a political Motive of preserving the State in Peace. 'Tis certain that this ought to be the grand Object of Policy; and that all such Methods as tend to it are allowable, when it is impossible to obtain it by any other means; *salus populi suprema lex esto*. All Laws ought to center there. But among Heretics, such are to be distinguish'd, whose Opinions or Actions are a Prejudice to the public Tranquillity. There is no room to doubt but the civil Magistrate may punish such as these, without being solicit-ed by the Church to do it. Thus when the Anabaptists took up Arms,

seiz'd upon *Munster*, and set up a Kingdom in that Place in Opposition to the lawful Sovereign, they became guilty, and merited the Havoc that was made among them; not for their erroneous Principles, but for having been found in Arms, and for endeavouring to disturb the Tranquility of the Governmen. But when this Sect, laying aside their enthusiastic Fury, contented themselves with worshipping God in such a manner as they thought would be most agreeable to him; observing at the same Time to live in Obedience to the Laws of the Country, and confining themselves to the Cares of their respective Families; the Authority of punishing an Anabaptist for his private Opinions immediately ceased, and the true Church has no farther Power over them than to employ Exhortation, kind Arguments, or, at most, Excommunication.

The second Reason which the Author gives agrees very ill with the practical Doctrine of *St. Martin*. The same Historian, who informs us how much that Saint opposed the putting of *Priscillian* to Death, and who applauds him for it, does nevertheless take Notice at the same Time, that this Heresiarch was found guilty of Sorcery in two Examinations; that he did not deny his having imbib'd impure Doctrines; that he had held nocturnal Assemblies, in which several leud Women were present; and that he had said Prayers in it, being stark naked. Nothing could possibly be more opposite to that Purity, which the Gospel requires in all who receive it; and according to the Rule laid down in the Memoirs, *Maximus* was obliged to punish such as abused Religion in this Manner, and made it a Cloke to their ignominious Passions. And yet we see here at the same Time, an illustrious Saint, the Apostle of *France*, standing between the Emperor and them, and opposing their Punishment.

The third Reason is specious indeed; nevertheless upon this Pretence of preventing the Creator's being dishonour'd by blasphemous Tenets, we thereby open a Door to infinite Persecutions. The Fathers of the *Nicene* Council treated *Arius* as a Blasphemer, because he denied the Consubstantiality of the Word. He, on the other Side, accused them of believing in three Gods, and in destroying the Unity of the Godhead, which certainly would be blasphemy. Now, according to the Maxim of the Memoirs, *Constantine* had Authority to punish the *Arians*, who denied the Divinity of our Saviour; but then, when one of his Successors declared for *Arius*, if he did this with Sincerity, he must necessarily think that the Consumstantialists committed Blasphemy, and that he was bound in Duty to punish them. This Duty must naturally result from the Opinion

pinion he had of his being in the right. When *Julian* was for restoring Heathenism, he undoubtedly believed that 'twas a more pure kind of Worship than that of our Saviour; and was it just he should therefore force the whole Universe to return back to Paganism? Shall it be asserted that such a Zeal is lawful in those only who defend the Truth? But the Answer to this is, that every one thinks himself in the right. The Moment you allow it to be lawful to put Heretics to Death, you acquiesce in the Condemnation of all who do not think just as they do. The Word *Heretic* is so much abused, that it is made to signify nothing at all. The most extravagant Sectaries look upon all as Heretics, who do not allow of their idle Dreams; and in Consequence of this, have a Right to persecute such as do not favour their Tenets. If the Prince is allowed to treat such of his Subjects ill as he thinks Heretics, and that only because they entertain certain Opinions with respect to Religion that clash with his, he himself is as much a Heretic with regard to them; and a People who are thus prejudiced, will easily prefer to him another Prince, who is of the same Principles with themselves. Nor will they fail to do it, if at the same Time that he differs from them in Opinion, he persecutes them with Severity.

The last Reason is as weak as the rest. I am even afraid, that the Author of these Memoirs understands the Meaning of these Words as little as I myself do. Heretics may be proceeded against with Rigour, *not*, says he, *to compel them, but in order to incline them, by the Fear and Dread of the Laws, to return to the Church which they had left.* I don't perceive the Difference he finds between forcing, and inclining a Person to any Thing, by the Dread of Laws and Punishments. We have already seen by the Execution of *Priscillian*, as related by *Sulpitius Severus*, that it is not fitting to employ Severity and Rigour to extirpate Heresies. No Person is induced to enlighten his Mind by the Dread of the Laws; so far from it, we find that in all those Countries where the Inquisition is established, every one is afraid of knowing too much. There, when a Layman is seen to enquire assiduously into his Religion, he becomes immediately suspected; and as it is of dangerous Consequence to a Person to be knowing, in case they have but the least Suspicion that he has imbib'd fewer Prejudices than the common People, the Consequence of this will be, that this Man, to preserve himself from Ruin, shall act the Part of a Hypocrite, and mask himself; but will immediately throw it off, the Moment he thinks himself out of the Reach of the Inquisitors. When once an *Italian* gets safe to *London, Florence, Paris, Lis-*

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bon, or *Amsterdam*, he becomes quite another Creature. This wretched Policy has produced a great Number of Atheists, who look upon Religion as no other than a mere Contrivance of the Court of *Rome*; and who, for Fear of being one Day convicted of Unbelief, write, in order to screen themselves, upon the Immortality of the Soul, and on other Subjects which they believe nothing of; and all this only, (in case they should happen to be persecuted upon that Account) that they may make use of this a Handle, in order to prove that they have done their utmost to demonstrate those very Things which they are accused of denying. The Parallel between the Practice of the antient Church, and that of the Inquisitors with respect to Heretics, is excellently drawn; 'tis scandalous for the Inquisition to dispense with those Laws, which Justice, Humanity, and the Principles of Christianity have prescribed to all Tribunals, in general.

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